

SENATE—Monday, July 26, 1993

(Legislative day of Wednesday, June 30, 1993)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

In a moment of silence, let us remember those who mourn the sudden unexpected death of Leo Cates, who worked in the telecommunications department of the Sergeant at Arms, the great sadness of those in that department.

Commit thy way unto the Lord; trust also in him; and he shall bring it to pass.—Psalm 37:5.

Almighty God, Your Word declares that, " * * * there is no power but of God: the powers that be are ordained of God." (Romans 13:1) Those who occupy the high and powerful office of Senator are here by Your direction. Behind their decision to seek office and the people's choice was Your sovereign hand. You have not brought them here to abandon them, but to guide and use them to fulfill Your purpose in history. Make them aware of Your presence with them and Your availability to guide and empower them to fulfill the task to which they have been called.

Gracious Father, make real to Your servants the promise of the psalmist: "Commit thy way unto the Lord; trust also in him; and he shall bring it to pass." As the demands and pressure increase in anticipation of the August recess, may the Senators look beyond their own capacity and ability to the adequacy of divine providence.

In Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CAMPBELL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. MITCHELL. Mr. President and Members of the Senate, the Senate will, today, proceed to consider the Agriculture Appropriations Act pursuant to Order No. 146, which is printed at pages 2 and 3 of today's Senate Calendar. Under that order, the only amendments in order to the bill will be those printed in the order and any second degrees thereto.

All amendments must be offered today. There will be no amendments in order after the close of business today. And the votes on any amendments, which are ordered today, will occur tomorrow following the cloture vote on the national service bill. That cloture vote will occur at 10 a.m. and, therefore, any votes on the Agriculture Appropriations Act will occur beginning at approximately 10:20 a.m. It is my hope that we can complete action on that bill during the morning tomorrow.

Mr. President, in addition to the Agriculture Appropriations Act and the national service bill, it is my hope that the Senate can, in the near future, act on several pending appropriations bills. There are on the calendar now three such bills: One for the Commerce, State, Justice Department's appropriations; one for the District of Columbia appropriations; and one for the Treasury and Postal Department's appropriations. I expect additional appropriations bills to be reported by the Appropriations Committee in the near future.

So Senators can expect a very active and busy week this week and the following week, if we are to complete action on these and the other important measures on which we must act prior to the scheduled recess.

That recess is scheduled to begin at the close of business on Friday, August 6—that is a week from this coming Friday—and it is important that we complete action on as many appropriations bills as possible, in addition to a number of other measures including, hopefully, some nominations and, of course, the reconciliation bill. We must com-

plete action on the reconciliation bill before any recess begins. And I hope that can all be done by the close of business on Friday, August 6.

Mr. President, I will be discussing the schedule, as is my usual practice, with the distinguished Republican leader in the next few days and will have further announcements to make following those discussions with respect to the schedule.

Mr. President, I note that the managers of the bill are present, the distinguished Senator from Arkansas, who is the manager, and the distinguished Senator from Mississippi, who is the ranking member and manager on the Republican side.

I, therefore, yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 2493, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2493) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

The Senate proceeded to consider the bill which was reported from the Committee on Appropriations with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets, and the parts of the bill intended to be inserted are shown in italic.)

H.R. 2493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$50,000 for employment under 5 U.S.C. 3109, [\$2,320,000] \$2,295,000: *Provided, That not to*

exceed \$8,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the Secretary may transfer salaries and expenses funds in this Act sufficient to finance a total of not to exceed 35 staff years between agencies of the Department of Agriculture to meet workload requirements.

OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Office of the Deputy Secretary of Agriculture, including not to exceed \$25,000 for employment under 5 U.S.C. 3109, [\$553,000] \$546,000: *Provided*, That not to exceed \$3,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Deputy Secretary.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, [\$5,954,000] \$5,781,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, [\$808,000] \$798,000.

RENTAL PAYMENTS (USDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Department of Agriculture which are included in this Act, \$135,503,000, of which \$30,804,000 shall be retained by the Department of Agriculture for the operation, maintenance, and repair of Agriculture buildings and for non-recurring repairs as determined by the Department of Agriculture, and an additional \$19,700,000 shall be retained by the Department of Agriculture for renovation and repair of facilities at the Beltsville Agricultural Research Center: *Provided*, That in the event an agency within the Department of Agriculture should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 per centum of the funds made available for space rental and related costs to or from this account.

ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, \$940,000: *Provided*, That no other funds appropriated to the Department of Agriculture in this Act shall be available to the Department of Agriculture for support of activities of advisory committees.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107g of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607g, and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961, \$15,802,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department of Agriculture for hazardous waste management may be transferred to any agency of

the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION (INCLUDING TRANSFERS OF FUNDS)

For Personnel, Finance and Management, Operations, Information Resources Management, Advocacy and Enterprise, Administrative Law Judges and Judicial Officer, and Emergency Programs, [\$26,301,000] \$25,960,000, for Departmental Administration to provide for necessary expenses for management support services to offices of the Department of Agriculture and for general administration and emergency preparedness of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, [\$1,333,000] \$1,317,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, and for the dissemination of agricultural information and the coordination of information, work and programs authorized by Congress in the Department, [\$8,629,000] \$8,510,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins: *Provided*, That [none of the funds in this Act] hereafter, none of the funds available to the Department of Agriculture may be used to produce part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture).

INTERGOVERNMENTAL AFFAIRS

For necessary expenses for programs involving intergovernmental affairs and liaison within the executive branch, [\$478,000] \$472,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, [\$65,932,000] \$65,127,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(8) of the Inspector General Act of 1978, as amended, and including a sum not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed \$95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, [\$26,149,000] \$25,835,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS

For necessary expenses of the Office of the Assistant Secretary for Economics to carry out the programs funded in this Act, [\$589,000] \$582,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; research relating to the economic and marketing aspects of farmer cooperatives; and for analysis of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products, [\$57,702,000] \$51,219,000; of which \$500,000 shall be available for investigation, determination, and finding as to the effect upon the production of food and upon the agricultural economy of any proposed action affecting such subject matter pending before the Administrator of the Environmental Protection Agency for presentation, in the public interest, before said Administrator, other agencies or before the courts: *Provided*, That this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and the consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225): *Provided further*, That this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, [\$82,069,000] \$81,458,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

WORLD AGRICULTURAL OUTLOOK BOARD

For necessary expenses of the World Agricultural Outlook Board to coordinate and review all commodity and aggregate agricultural and food data used to develop outlook and situation material within the Department of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), [\$2,582,000] \$2,550,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Science and Education to administer the laws enacted by the Congress for the Agricultural Research Service, Cooperative State Research Service, Extension Service, and National Agricultural Library, **[\$569,000]** **\$562,000.**

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), **[\$7,250,000]** **\$12,000,000** is appropriated to the Alternative Agricultural Research and Commercialization Revolving Fund.

AGRICULTURAL RESEARCH SERVICE (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for), home economics or nutrition and consumer use, and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, **[\$688,805,000]** **\$680,165,000**; *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109; *Provided further*, That [appropriations hereunder] *hereafter*, appropriations available to the Department of Agriculture can be used to provide financial assistance to the organizers of national and international conferences, if such conferences are in support of agency programs; *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only; *Provided further*, That appropriations hereunder shall be available to conduct marketing research; *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed \$250,000, except for greenhouses or greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building or \$250,000, whichever is greater; *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland; *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a); *Provided further*, That the foregoing limitations shall not apply to the purchase of land or the construction of facilities as may be necessary for the relocation of the United States Horticultural Crops Research Laboratory at Fresno to Parlier, California, and the relocation of the laboratories at Behoust, France and Rome, Italy to Montpellier, France, including the sale or exchange at fair market value of existing land and facilities at Fresno, California and Behoust, France; and the Agricultural Research Service may lease such existing land and facilities from the purchasers until completion of

the replacement facilities and the foregoing limitations shall not apply to the purchase of land at Weslaco, Texas; *Provided further*, That not to exceed \$190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Assistant Secretary for Science and Education for the scientific review of international issues involving agricultural chemicals and food additives; *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

Special fund: To provide for additional labor, subprofessional, and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at Federal research installations in the field, **\$2,500,000.**

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, **[\$29,387,000]** **\$29,888,000**, to remain available until expended (7 U.S.C. 2209b); *Provided*, That *hereafter*, facilities to house bonsai collections at the National Arboretum may be constructed with funds accepted under the provisions of Public Law 94-129 (20 U.S.C. 195) and the limitation on construction contained in the Act of August 24, 1912 (40 U.S.C. 68) shall not apply to the construction of such facilities; *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH SERVICE

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including \$171,304,000 to carry into effect the provisions of the Hatch Act approved March 2, 1887, as amended, including administration by the United States Department of Agriculture, penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); **[\$18,809,000]** **\$22,809,000** for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582a7), as amended, including administrative expenses, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); **\$28,157,000** for payments to the 1890 land-grant colleges, including Tuskegee University, for research under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222), as amended, including administration by the United States Department of Agriculture, and penalty mail costs of the 1890 land-grant colleges, including Tuskegee University; **[\$50,070,000]** **\$71,117,000** for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i); **[\$114,000,000]** **\$102,500,000** for competitive research grants under section 2(b) of the Act of August 4, 1965, as amended (7 U.S.C. 450i(b)), including administrative expenses; **\$5,551,000** for the support of animal health and disease programs authorized by section 1433 of Public Law 95-113, including administrative expenses; **[\$2,168,000]** **\$650,000**

for supplemental and alternative crops and products as authorized by the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d); **[\$400,000]** **\$600,000** for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 3318), to remain available until expended; **\$475,000** for rangeland research grants as authorized by subtitle M of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended; **\$3,500,000** for higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)), including administrative expenses; **\$1,500,000** for higher education challenge grants under section 1417(b)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(1)), including administrative expenses; **\$1,000,000** for a higher education minority scholar program under section 1417(b)(5) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(5)), including administrative expenses; **\$4,000,000** for grants as authorized by section 1475 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 and other Acts; **[\$6,825,000]** **\$8,000,000** for sustainable agriculture research and education, as authorized by section 1621 of Public Law 101-624 (7 U.S.C. 5811), including administrative expenses; and **[\$20,827,000]** **\$20,689,000** for necessary expenses of Cooperative State Research Service activities, including coordination and program leadership for higher education work of the Department, administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which \$10,550,000 shall be for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, **[\$428,586,000]** **\$441,852,000.**

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching programs of the Department of Agriculture, where not otherwise provided, **[\$37,750,000]** **\$56,874,000**, to remain available until expended (7 U.S.C. 2209b).

EXTENSION SERVICE

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, **[\$274,582,000]** **\$270,593,000**; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, **[\$64,961,000]** **\$61,431,000**; payments for the pest management program under section 3(d) of the Act, **\$8,459,000**; payments for the

farm safety and rural health programs under section 3(d) of the Act, [\$2,698,000] \$2,988,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,363,000; payments to upgrade 1890 land-grant college research and extension facilities as authorized by section 1447 of Public Law 95-113, as amended (7 U.S.C. 3222b), \$7,901,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, [\$938,000] \$950,000; payments for a groundwater quality program under section 3(d) of the Act, \$11,234,000; payments for the Agricultural Telecommunications Program, as authorized by Public Law 101-624 (7 U.S.C. 5926), [\$1,206,000] \$1,221,000; payments for youth-at-risk programs under section 3(d) of the Act, \$10,000,000; payments for a Nutrition Education Initiative under section 3(d) of the Act, \$5,000,000; payments for a food safety program under section 3(d) of the Act, \$1,975,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,341,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,750,000; payments to establish and operate centers of rural technology development as authorized by section 2347 of Public Law 101-624 (7 U.S.C. 1932), \$2,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$2,963,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,000,000; and payments for extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, [\$25,414,000] \$25,472,000; in all, [\$420,785,000] \$422,641,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

Federal administration and coordination: For administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, [\$8,390,000] \$11,000,000.

NATIONAL AGRICULTURAL LIBRARY

For necessary expenses of the National Agricultural Library, [\$17,682,000] \$18,155,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$35,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$900,000 shall be available pursuant to 7 U.S.C. 2250 for the alteration and repair of buildings and improvements: *Provided further*, That \$462,000 shall be available for a grant pursuant to section 1472 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3818), in addition to other funds available in this appropriation for grants under this section.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND INSPECTION SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Inspection Services to administer programs under the laws enacted by the Congress for the Animal and Plant Health In-

spection Service, Food Safety and Inspection Service, Federal Grain Inspection Service, Agricultural Cooperative Service, Agricultural Marketing Service, and Packers and Stockyards Administration, [\$691,000] \$682,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, [\$439,042,000] \$443,653,000, of which \$91,460,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account, and of which \$4,938,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That if the demand for Agricultural Quarantine Inspection (AQI) user fee financed services is greater than expected and/or other uncontrollable events occur, the Agency may exceed the AQI User Fee limitation by up to 10 per centum, provided such funds are available in the Agricultural Quarantine Inspection User Fee Account, and with notification to the Appropriations Committees: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 per centum: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That none of these funds shall be used to pay the salary of any Department veterinarian or Veterinary Medical Officer who, when conducting inspections at horse shows, exhibitions, sales, or auctions under the Horse Protection Act, as amended (15 U.S.C. 1821-1831), relies solely on

the use of digital palpation as the only diagnostic test to determine whether or not a horse is sore under such Act.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$10,145,000, to remain available until expended (7 U.S.C. 2209b).

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, and the Poultry Products Inspection Act, as amended, \$516,738,000, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

FEDERAL GRAIN INSPECTION SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$20,000 for employment under 5 U.S.C. 3109, [\$11,554,000] \$11,509,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That [none of the funds provided by this Act] hereafter, none of the funds available to the Federal Grain Inspection Service may be used to pay the salaries of any person or persons who require, or who authorize payments from fee-supported funds to any person or persons who require nonexport, nonterminal interior elevators to maintain records not involving official inspection or official weighing in the United States under Public Law 94-582 other than those necessary to fulfill the purposes of such Act.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,784,000 (from fees collected) shall be obligated during the current fiscal year for Inspection and Weighing Services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 per centum with notification to the Appropriations Committees.

AGRICULTURAL COOPERATIVE SERVICE

For necessary expenses to carry out the Cooperative Marketing Act of July 2, 1926 (7 U.S.C. 451-457), and for activities relating to the marketing aspects of cooperatives, including economic research and analysis and the application of economic research findings, as authorized by

the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and for activities with institutions or organizations throughout the world concerning the development and operation of agricultural cooperatives (7 U.S.C. 3291), \$5,708,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$15,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, agricultural cooperatives, and regulatory programs, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$90,000 for employment under 5 U.S.C. 3109, [\$61,614,000] \$56,887,000; including \$2,346,000 for the Wholesale Market Development Program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$55,953,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 per centum with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than [\$10,309,000] \$10,670,000 for formulation and administration of Marketing Agreements and Orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

In fiscal years 1994 and 1995, section 32 funds shall be used to promote sunflower and cottonseed oil exports to the full extent authorized by section 1541 of Public Law 101–624 (7 U.S.C. 1464 note), and such funds shall be used to facilitate additional sales of such oils in world markets.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), [\$1,735,000] \$1,300,000.

PACKERS AND STOCKYARDS ADMINISTRATION

For necessary expenses for administration of the Packers and Stockyards Act, as authorized by law, and for certifying procedures used to protect purchasers of farm

products, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$5,000 for employment under 5 U.S.C. 3109, [\$12,194,000] \$12,052,000.

FARM INCOME STABILIZATION

OFFICE OF THE UNDER SECRETARY FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for International Affairs and Commodity Programs to administer the laws enacted by Congress for the Agricultural Stabilization and Conservation Service, Office of International Cooperation and Development, Foreign Agricultural Service, and the Commodity Credit Corporation, [\$563,000] \$556,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301–1393); the Agricultural Act of 1949, as amended (7 U.S.C. 1421 et seq.); sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g–590o, 590p(a), 590p(f), and 590q); sections 1001 to 1004, 1006 to 1008, and 1010 of the Agricultural Act of 1970, as amended (16 U.S.C. 1501 to 1504, 1506 to 1508, and 1510); the Water Bank Act, as amended (16 U.S.C. 1301–1311); the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101); sections 202(c) and 205 of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c), 1595); sections 401, 402, and 404 to 406 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 to 2205); the United States Warehouse Act, as amended (7 U.S.C. 241–273); title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3811 et seq.); and laws pertaining to the Commodity Credit Corporation, \$732,467,000; of which \$730,842,000 is hereby appropriated, and \$1,036,000 is transferred from the Public Law 480 Program Account in this Act and \$589,000 is transferred from the Commodity Credit Corporation Program Account in this Act: *Provided*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make

contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided:

FEDERAL CROP INSURANCE CORPORATION ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, as authorized by the Federal Crop Insurance Act, as amended (7 U.S.C. 1516), \$290,116,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i): *Provided further*, That none of the funds in this Act may be used to offer a Federal crop insurance policy in counties on crops where a loss ratio, that has already been recalculated pursuant to law to reflect the premium rates issued by the Corporation for the 1993 crop year, is in excess of 1.10 more than 70 percent of the years that a policy has been offered since 1980: *Provided further*, That none of the funds in this Act may be used to pay operating and administrative costs that exceed 31 per centum of premium to insurers of policies on which the Corporation provides reinsurance, except to reimburse said insurers for excess loss adjustment expenses as provided for in the Standard Reinsurance Agreement issued by the Corporation: *Provided further*, That the second proviso shall not apply in any county affected if the Corporation has implemented a nonstandard classification system in such county for those individual farms that have experienced excessive losses since 1980 under which the premium rates, notwithstanding the provision of section 508(d) of the Federal Crop Insurance Act, are increased over comparable rates effective for the 1993 crop, or the insured yields are decreased from comparable yields for the 1993 crop, or a combination of both, by an amount or amounts sufficient to ensure that an estimated loss ratio will not exceed 1.1 for the crop produced on such farms during the 1994 crop year.]

For administrative and operating expenses, as authorized by the Federal Crop Insurance Act, as amended (7 U.S.C. 1516), \$290,116,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i): *Provided further*, That none of the funds in this Act may be used to offer a Federal crop insurance policy in counties on crops where a loss ratio, that has already been recalculated pursuant to law to reflect the premium rates issued by the Corporation for the 1993 crop year, is in excess of 1.10 more than 70 percent of the years that a policy has been offered since 1980: *Provided further*, That none of the funds in this Act may be used to pay operating and administrative costs that exceed 31 per centum of premium to insurers of policies on which the Corporation provides reinsurance, except to reimburse said insurers for excess loss adjustment expenses as provided for in the Standard Reinsurance Agreement issued by the Corporation: *Provided further*, That the second proviso shall not apply in any county affected if the Corporation has implemented a nonstandard classification system in such county for those individual farms that have experienced excessive losses since 1980 under which the premium rates, notwithstanding the provision of section 508(d) of the Federal Crop Insurance Act, are increased over comparable rates effective for the 1993 crop, or the insured yields are decreased from comparable yields for the 1993 crop, or a combination of both, by an amount or amounts sufficient to ensure that an estimated loss ratio will

not exceed 1.1 for the crop produced on such farms during the 1994 crop year.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 508(b) of the Federal Crop Insurance Act, as amended, \$235,794,000, to remain available until expended (7 U.S.C. 2209b); of which \$47,072,000 is to reimburse the Federal Crop Insurance Corporation Fund for agents' commissions and loss adjustment obligations incurred during prior years, but not previously reimbursed, as authorized by section 516(a) of the Act, as amended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1994, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$20,896,614,000 in the President's fiscal year 1994 Budget Request (H. Doc. 103-3)), but not to exceed \$18,000,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR

HAZARDOUS WASTE MANAGEMENT

For fiscal year 1994, the Commodity Credit Corporation shall not expend more than \$4,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Assistant Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, [\$578,000] \$571,000.

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100; purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, [\$588,262,000] \$593,835,000, to remain available until expended (7 U.S.C. 2209b); of which not less than \$5,820,000 is for snow survey and water forecasting and not less than \$8,214,000 is for operation and establishment of the plant materials centers: *Provided*, That except for \$2,399,000 for improvements of the plant materials centers, the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building

and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed \$10,000, except for one building to be constructed at a cost not to exceed \$100,000 and eight buildings to be constructed or improved at a cost not to exceed \$50,000 per building and except that alterations or improvements to other existing permanent buildings costing \$5,000 or more may be made in any fiscal year in an amount not to exceed \$2,000 per building: *Provided further*, That when buildings or other structures are erected on non-Federal land that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

RIVER BASIN SURVEYS AND INVESTIGATIONS

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1006-1009), \$13,482,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$60,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED PLANNING

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001-1008), [\$9,721,000] \$10,921,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1005, 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, [\$228,915,000] \$258,615,000 to remain available until expended (7 U.S.C. 2209b), of which [\$40,386,000] \$41,186,000 shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed [\$22,881,000] \$34,381,000 shall be available for emergency measures as provided by sections 403-405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203-2205), and not to exceed \$200,000 shall be available for

employment under 5 U.S.C. 3109: *Provided further*, That \$4,000,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010-1011; 76 Stat. 607), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), [\$32,945,000] \$35,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That \$600,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956, as amended (16 U.S.C. 590p(b)), \$25,658,000, to remain available until expended (16 U.S.C. 590p(b)(7)).

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

AGRICULTURAL CONSERVATION PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q), and sections 1001-1004, 1006-1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501-1504, 1506-1508, and 1510), and including not to exceed \$15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, \$194,650,000, to remain available until expended (16 U.S.C. 590o), for agreements, excluding administration but including technical assistance and related expenses (16 U.S.C. 590o), except that no participant in the Agricultural Conservation Program shall receive more than \$3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20

(XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further*, That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further*, That not to exceed 5 per centum of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the Agricultural Conservation Program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the current year's program \$2,500,000 shall be available for technical assistance in formulating and carrying out rural environmental practices: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities" approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18 U.S.C. 1913 to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels: *Provided further*, That not to exceed \$15,000,000 of the amount appropriated shall be used for water quality payments and practices in the same manner as permitted under the program for water quality authorized in chapter 2 of subtitle D of title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3838 et seq.).

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$12,820,000, to remain available until expended, as authorized by that Act.

[WATER BANK PROGRAM

[For necessary expenses to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301-1311), \$18,620,000, to remain available until expended.

[EMERGENCY CONSERVATION PROGRAM

[For necessary expenses to carry into effect the program authorized in sections 401, 402, and 404 of title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201-2205), \$10,000,000, to remain available until expended, as authorized by 16 U.S.C. 2204.]

COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

For necessary expenses for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, \$13,783,000, to remain available until expended (7 U.S.C. 2209b), to be used for investigations and surveys, for technical assistance in developing conservation practices and in the preparation of salinity control plans, for the establishment of on-farm irrigation management systems, including related lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and non-governmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the county ASC committees, approved by the State ASC committees and the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation: *Provided*, That the Soil Conservation Service shall provide technical assistance and the Agricultural Stabilization and Conservation Service shall provide administrative services for the program, including but not limited to, the negotiation and administration of agreements and the disbursement of payments: *Provided further*, That such program shall be coordinated with the regular Agricultural Conservation Program and with research programs of other agencies.

CONSERVATION RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the conservation reserve program pursuant to the Food Security Act of 1985 (16 U.S.C. 3831-3845), \$1,743,274,000, to remain available until expended, to be used for Commodity Credit Corporation expenditures for cost-share assistance for the establishment of conservation practices provided for in approved conservation reserve program contracts, for annual rental payments provided in such contracts, and for technical assistance.

WETLANDS RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Wetlands Reserve Program pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837), \$44,450,000 \$22,250,000, to remain available until expended: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the Wetlands Reserve Program.

TITLE III—FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Small Community and Rural Development to administer programs under the laws enacted by the

Congress for the Farmers Home Administration, Rural Electrification Administration, Federal Crop Insurance Corporation, and rural development activities of the Department of Agriculture, \$583,000 \$576,000.

RURAL DEVELOPMENT ADMINISTRATION

Notwithstanding any other provision of this Act, [except Sec. 722.] the Secretary may transfer funds from the Farmers Home Administration in this Act to fund the Rural Development Administration, as authorized by law.

RURAL DEVELOPMENT ADMINISTRATION AND FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the Rural Housing Insurance Fund, as follows: \$2,550,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$750,000,000 shall be for unsubsidized guaranteed loans; \$35,000,000 for section 504 housing repair loans; \$16,300,000 for section 514 farm labor housing; \$573,900,000 \$540,107,000 for section 515 rental housing; \$600,000 for site loans; and \$166,863,000 \$150,000,000 for credit sales of acquired property: *Provided*, That up to \$50,664,000 of these funds shall be made available for section 502(g), Deferral Mortgage Demonstration.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: low-income housing section 502 loans, \$366,360,000 \$366,435,000, of which \$12,225,000 \$12,300,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$13,671,000; section 514 farm labor housing, \$8,394,000; section 515 rental housing, \$311,972,000 \$309,967,000; and credit sales of acquired property, \$25,397,000 \$22,830,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$396,161,000.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, \$417,523,000 \$475,865,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the Rental Assistance Program under section 521(a)(2) of the Act: *Provided*, That of this amount not more than \$5,840,000 \$11,210,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That of this amount not less than \$109,258,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, as amended, and not more than \$5,214,000 is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That \$297,211,000 is available for expiring agreements and for servicing of existing units without agreements: *Provided further*, That agreements entered into or renewed during fiscal year 1994 shall be funded for a five-year

period, although the life of any such agreement may be extended to fully utilize amounts obligated.

RURAL HOUSING VOUCHER PROGRAM

For necessary expenses to operate a rural housing voucher program as authorized by section 542 of title V of the Housing Act of 1949, as amended, \$25,000,000, to be administered by the Secretary of Agriculture.

SELF-HELP HOUSING LAND DEVELOPMENT FUND PROGRAM ACCOUNT

For direct loans pursuant to section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), \$622,000.

For the cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$23,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$14,000.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, [\$634,624,000] \$678,543,000, of which \$556,543,000 shall be for guaranteed loans; operating loans, [\$2,750,000,000] \$4,046,252,000, of which [\$1,800,000,000] \$3,000,000,000 shall be for unsubsidized guaranteed loans and \$250,000,000 shall be for subsidized guaranteed loans; [\$4,909,000] \$4,312,000 for water development, use, and conservation loans, of which [\$2,012,000] \$1,415,000 shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, [\$1,163,000] \$1,000,000; for emergency insured loans, \$100,000,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, [\$147,566,000] \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, [\$34,080,000] \$41,507,000, of which \$20,870,000 shall be for guaranteed loans; operating loans, [\$119,985,000] \$129,818,000, of which [\$9,360,000] \$15,747,000 shall be for unsubsidized guaranteed loans and [\$29,425,000] \$29,445,000 shall be for subsidized guaranteed loans; [\$506,000] \$494,000 for water development, use, and conservation loans, of which [\$43,000] \$31,000 shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, [\$229,000] \$197,000; for emergency insured loans, \$26,060,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, [\$22,405,000] \$15,400,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$275,392,000.

RURAL DEVELOPMENT INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928 and 86 Stat. 661-664, as amended, to be available from funds in the Rural Development Insurance Fund, as follows: water and sewer facility loans, [\$835,000,000] \$903,886,000, of which [\$35,000,000] \$35,500,000 shall be for guaranteed loans; community facility loans, [\$325,000,000] \$275,000,000, of which \$75,000,000 shall be for guaranteed loans; and guaranteed industrial development loans, [\$298,762,000] \$200,000,000. *Provided*, That none of the funds made available in this Act may be used to make transfers between the above limitations.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: direct water and sewer facility loans, [\$111,040,000] \$120,532,000; direct community facility loans, [\$24,125,000] \$19,320,000; guaranteed community facility loans, \$3,803,000; and guaranteed industrial development loans, [\$2,778,000] \$1,860,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$58,194,000.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For the cost of direct loans [\$56,000,000] \$84,000,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed [\$100,000,000] \$150,000,000.

In addition, for administrative expenses necessary to carry out the direct loan programs, \$1,481,000.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), [\$2,963,000] \$4,000,000.

RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to section 306(a)(2) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1926), [\$450,000,000] \$535,571,000, to remain available until expended, pursuant to section 306(d) of the above Act: *Provided*, That of this amount, [\$25,000,000] \$25,700,000 shall be available for water and waste disposal systems to benefit the Colonias along the U.S./Mexico border, including grants pursuant to section 306C: *Provided further*, That of this amount, up to \$15,000,000 shall be available for project grants to remedy the dire sanitation conditions in rural Alaska villages in which the median household income does not exceed 110 percent of the statewide non-metropolitan household income and that notwithstanding the Consolidated Farm and Rural Development Act, Public Law 87-128, such grants shall be for 50 percent of the development cost of the project upon a state or local contribution of 50 percent of the development cost of the project: *Provided further*, That, with the exception of the foregoing [\$25,000,000] \$25,700,000 and the foregoing \$15,000,000, these funds shall not be used for any purpose not specified in section 306(a) of the Consolidated Farm and Rural Development Act.

VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to section 504 of the Housing Act of 1949, as amended, \$25,000,000, to remain available until expended.

RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible non-profit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), \$11,000,000, to remain available until expended.

MUTUAL AND SELF-HELP HOUSING

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$12,750,000, to remain available until expended (7 U.S.C. 2209b).

SUPERVISORY AND TECHNICAL ASSISTANCE GRANTS

For grants pursuant to sections 509(g)(6) and 525 of the Housing Act of 1949, \$2,500,000, to remain available until expended.

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95-313), \$3,500,000 to fund up to 50 per centum of the cost of organizing, training, and equipping rural volunteer fire departments.

COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, \$500,000, to remain available until expended.

RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), \$23,000,000.

RURAL DEVELOPMENT GRANTS

For grants authorized under section 310B(c) and 310B(j) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, [\$35,000,000] \$50,000,000: *Provided*, That \$500,000 shall be available for grants to qualified nonprofit organizations to provide technical assistance and training for rural communities needing improved passenger transportation systems or facilities in order to promote economic development.

SOLID WASTE MANAGEMENT GRANTS

For grants for pollution abatement and control projects authorized under section 310B(b) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act, \$3,000,000: *Provided*, That such assistance shall include regional technical assistance for improvement of solid waste management.

EMERGENCY COMMUNITY WATER ASSISTANCE GRANTS

For emergency community water assistance grants as authorized under section 306B (7 U.S.C. 1926b) of the Consolidated Farm and Rural Development Act, \$10,000,000.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$3,000,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary salaries and expenses of the Office of the Administrator of the Farmers Home Administration, \$600,000: *Provided*, That no other funds in this Act shall be available for this Office.

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-2000), as amended; title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1490c); the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444), for administering the loan program authorized by title III-A of the Economic Opportunity Act of 1964 (Public Law 88-452 approved August 20, 1964), as amended, and such other programs which the Farmers Home Administration has the responsibility for administering, \$729,749,000; of which

\$35,552,000 is hereby appropriated, \$374,255,000 shall be derived by transfer from the Rural Housing Insurance Fund Program Account in this Act and merged with this account, \$261,158,000 shall be derived by transfer from the Agricultural Credit Insurance Fund Program Account in this Act and merged with this account, \$57,294,000 shall be derived by transfer from the Rural Development Insurance Fund Program Account in this Act and merged with this account, \$1,476,000 shall be derived by transfer from the Rural Development Loan Fund Program Account in this Act and merged with this account, and \$14,000 shall be derived by transfer from the Self-Help Housing Land Development Fund Program Account in this Act and merged with this account: *Provided*, That not to exceed \$500,000 of this appropriation may be used for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$4,368,000 \$4,500,000 of this appropriation shall be available for contracting with the National Rural Water Association or other equally qualified national organization for a circuit rider program to provide technical assistance for rural water systems.

RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), as follows:

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, \$125,000,000; 5 percent rural telephone loans, \$125,000,000; cost of money rural telephone loans, \$198,000,000; municipal rate rural electric loans, \$600,000,000; and loans made pursuant to section 306 of that Act, \$933,000,000; to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, \$36,265,000; \$30,043,000; cost of municipal rate loans, \$46,020,000; cost of money rural telephone loans, \$40,000; cost of loans guaranteed pursuant to section 306, \$11,184,000; \$3,090,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$29,982,000.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1994 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$199,847,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), \$340,000 \$3,118,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$8,794,000.

DISTANCE LEARNING AND MEDICAL LINK PROGRAMS

For necessary expenses to carry into effect the programs authorized in sections 2331-2335 of Public Law 101-624, \$10,000,000, to remain available until expended.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For loans authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$13,025,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, \$3,381,000 \$3,423,000.

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), and to administer the loan and loan guarantee programs for Community Antenna Television facilities as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-1995), and for which commitments were made prior to fiscal year 1994, including not to exceed \$7,000 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$103,000 for employment under 5 U.S.C. 3109, \$38,776,000; of which \$29,982,000 shall be derived by transfer from the Rural Electrification and Telephone Loans Program Account in this Act and \$8,794,000 shall be derived by transfer from the Rural Telephone Bank Program Account in this Act: *Provided*, That none of the funds in this Act may be used to authorize the transfer of additional funds to this account from the Rural Telephone Bank: *Provided further*, That none of the salaries and expenses provided to the Rural Electrification Administration, and none of the responsibilities assigned by law to the Administrator of the Rural Electrification Administration may be reassigned or transferred to any other agency or office.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Food and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service and the Human Nutrition Information Service, \$554,000 \$547,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1769b), and the applicable provisions other than sections 3 and 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1773-1785, and 1788-1789); \$7,497,131,000, to remain available through September 30, 1995, of which \$2,727,022,000 is hereby appropriated and \$4,770,109,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That hereafter, funds appropriated for the purpose of section 7 of the Child Nutrition Act of 1966 shall be allocated among the States but the distribution of such funds to an individual State is contingent upon that State's agreement to participate in studies and surveys of programs authorized under the National School Lunch Act and the Child Nutrition Act of 1966, when such studies and surveys have been directed by the Congress and requested by the Sec-

retary of Agriculture: *Provided further*, That hereafter, if the Secretary of Agriculture determines that a State's administration of any program under the National School Lunch Act or the Child Nutrition Act of 1966 (other than section 17), or the regulations issued pursuant to these Acts, is seriously deficient, and the State fails to correct the deficiency within a specified period of time, the Secretary may withhold from the State some or all of the funds allocated to the State under section 7 of the Child Nutrition Act of 1966 and under section 13(k)(1) of the National School Lunch Act; upon a subsequent determination by the Secretary that the programs are operated in an acceptable manner some or all of the funds withheld may be allocated: *Provided further*, That hereafter, only final reimbursement claims for service of meals, supplements, and milk submitted to State agencies by eligible schools, summer camps, institutions, and service institutions within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds [appropriated under this Act.] available to the Department of Agriculture; in addition, States may receive program funds [appropriated under this Act.] available to the Department of Agriculture for meals, supplements, and milk served during any month only if the final program operations report for such month is submitted to the Department within ninety days following that [month. Exceptions] month; and in addition, exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary: *Provided further*, That up to \$3,849,000 shall be available for independent verification of school food service claims: *Provided further*, That \$1,706,000 \$2,000,000 shall be available to provide financial and other assistance to operate the Food Service Management Institute.

SPECIAL MILK PROGRAM

For necessary expenses to carry out the special milk program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772), \$20,277,000, to remain available through September 30, 1995. Only 1995: *Provided*, That hereafter, only final reimbursement claims for milk submitted to State agencies within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds [appropriated under this Act.] available to the Department of Agriculture; in addition, States may receive program funds [appropriated under this Act.] available to the Department of Agriculture only if the final program operations report for such month is submitted to the Department within ninety days following that [month. Exceptions] month; and in addition, exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$3,210,000,000 \$3,213,500,000, to remain available through September 30, 1995, of which up to \$4,000,000 \$8,000,000 may be used to carry out the farmer's market coupon program: *Provided*, That [none of the funds in this Act] hereafter, none of the funds available to the Department of Agriculture shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to

carry out the program: *Provided further, That until revised allocation regulations have been issued, the Secretary may waive regulations governing allocations as necessary to ensure funds are received by States most in need: Provided further, That hereafter, rebate funds received by States as part of a cost containment initiative for WIC are exempt from the interest provisions of the Cash Management Improvement Act of 1990, Public Law 101-453.*

COMMODITY SUPPLEMENTAL FOOD PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), including not less than \$8,000,000 for the projects in Detroit, New Orleans, and Des Moines, \$104,500,000 to remain available through September 30, 1995: *Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.*

FOOD STAMP PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2029), \$28,136,655,000: *Provided, That funds provided herein shall remain available through September 30, 1994, in accordance with section 18(a) of the Food Stamp Act: Provided further, That \$2,500,000,000 of the foregoing amount shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or work fare requirements as may be required by law: Provided further, That \$345,000,000 of the funds provided herein shall be available after the Secretary has employed the regulatory and administrative methods available to him under the law to curtail fraud, waste, and abuse in the program: Provided further, That \$1,091,000,000 of the foregoing amount shall be available for Nutrition Assistance for Puerto Rico as authorized by 7 U.S.C. 2028, of which \$12,472,000 shall be transferred to the Animal and Plant Health Inspection Service for the Cattle Tick Eradication Project.*

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), \$218,641,000, to remain available through September 30, 1995: *Provided, That notwithstanding any other provision of law, for meals provided pursuant to the Older Americans Act of 1965, a maximum rate of reimbursement to States will be established by the Secretary, subject to reduction if obligations would exceed the amount of available funds, with any unobligated funds to remain available only for obligation in the fiscal year beginning October 1, 1994.*

For necessary expenses to carry out section 110 of the Hunger Prevention Act of 1988, \$40,000,000.

THE EMERGENCY FOOD ASSISTANCE PROGRAM

For necessary expenses to carry out the Emergency Food Assistance Act of 1983, as amended, [\$40,000,000] \$42,500,000: *Provided, That, in accordance with section 202 of Public Law 98-92, these funds shall be available only if the Secretary determines the existence of excess commodities.*

For purchases of commodities to carry out the Emergency Food Assistance Act of 1983, as amended, [\$80,000,000] \$107,500,000.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$107,767,000; of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.*

HUMAN NUTRITION INFORMATION SERVICE

For necessary expenses to enable the Human Nutrition Information Service to perform applied research and demonstrations relating to human nutrition and consumer use and economics of food utilization, and nutrition monitoring, \$10,864,000: *Provided, That funds made available by Public Law 102-341 under this head shall remain available for obligation from October 1, 1993, through September 30, 1994, only for the purpose of expenses necessary to conduct the Continuing Survey of Food Intakes by Individuals: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).*

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), [\$117,812,000] \$110,284,000: *Provided, That this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: Provided further, That in addition, funds available to the Department of Agriculture shall be available to assist an international organization in meeting the costs, including salaries, fringe benefits and other associated costs, related to the employment by the organization of Federal personnel that may transfer to the organization under the provisions of 5 U.S.C. 3581-3584, or of other well-qualified United States citizens, for the performance of activities that contribute to increased understanding of international agricultural issues, with transfer of funds for this purpose from one appropriation to another or to a single account authorized, such funds remaining available until expended: Provided further, That the Office may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).*

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the General Sales Manager, \$9,158,000, of which \$4,866,000 may be transferred from Commodity Credit Corporation funds, \$2,792,000 may be transferred from the Commodity Credit Corporation Program Account in this Act, and \$1,500,000 may be transferred from the Public Law 480 Program Account in this Act. The General Sales Manager shall obtain, assimilate, and analyze all available information on developments related to private sales, as well as those funded by the Corporation, including grade and quality as sold and as delivered, including information relating to the effectiveness of greater reliance by the General Sales Manager upon loan guarantees as contrasted to direct loans for financing commercial export sales of agricultural commodities out of private stocks on credit terms, as provided in titles I and II of the Agricultural Trade Act of 1978, Public Law 95-501, and shall submit quarterly reports to the appropriate committees of Congress concerning such developments.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701-1715, 1721-1726, 1727-1727f, 1731-1736g), as follows: (1) [\$450,446,000] \$503,635,000 for Public Law 480 title I credit, including Food for Progress credit; (2) [\$45,927,000] \$51,641,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) \$821,570,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) \$280,083,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided, That not to exceed 10 per centum of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).*

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, [\$346,889,000] \$387,849,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, \$2,536,000.

SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$5,000,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the

products thereof, as authorized by section 211(b)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

INTERMEDIATE EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$500,000,000 in credit guarantees under its export guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 211(b)(2) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

EMERGING DEMOCRACIES EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$200,000,000 in credit guarantees under its Export Guarantee Program for credit expended to finance the export sales of United States agricultural commodities and the products thereof to emerging democracies, as authorized by section 1542 of Public Law 101-624 (7 U.S.C. 5622 note).

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out CCC's Export Guarantee Program, GSM 102 and GSM 103, \$3,381,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed \$2,792,000 may be transferred to and merged with the appropriation for the salaries and expenses of the General Sales Manager, and of which not to exceed \$589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Agricultural Stabilization and Conservation Service.

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of International Cooperation and Development to coordinate, plan, and direct activities involving international development, technical assistance and training, and international scientific and technical cooperation in the Department of Agriculture, including those authorized by the Food and Agriculture Act of 1977 (7 U.S.C. 3291), \$7,697,000: *Provided*, That not to exceed \$3,000 of this amount shall be available for official reception and representation expenses as authorized by 7 U.S.C. 1766: *Provided further*, That in addition, funds available to the Department of Agriculture shall be available to assist an international organization in meeting the costs, including salaries, fringe benefits and other associated costs, related to the employment by the organization of Federal personnel that may transfer to the organization under the provisions of 5 U.S.C. 3581-3584, or of other well-qualified United States citizens, for the performance of activities that contribute to increased understanding of international agricultural issues, with transfer of funds for this purpose from one appropriation to another or to a single account authorized, such funds remaining available until expended: *Provided further*, That the Office may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

SCIENTIFIC ACTIVITIES OVERSEAS (FOREIGN CURRENCY PROGRAM)

LIMITATION ON EXPENSES

For payments in foreign currencies owed to or owned by the United States for research activities authorized by section 104(c)(7) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(c)(7)), not to exceed \$1,062,000: *Provided*, That not to exceed \$25,000 of these funds shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), as amended by 5 U.S.C. 3109.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; [\$867,339,000, of which not to exceed \$54,000,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: *Provided*, That fees derived from applications received during fiscal year 1994 shall be subject to the fiscal year 1994 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That none of the funds in this Act may be used to pay for expenses of the Board of Experts on Tea] \$638,339,000; and in addition, \$175,000,000 to be credited to this appropriation, from fees established and collected to cover the costs of regulation of products under the jurisdiction of the Food and Drug Administration, to remain available until expended.

In addition, not to exceed \$54,000,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended in accordance with section 736(g) of such Act: *Provided*, That this amount may be adjusted pursuant to section 736(c) of that Act: *Provided further*, That fees derived from applications received during fiscal year 1994 shall be credited to the appropriation current in the year in which the fees are collected and subject to the fiscal year 1994 limitation.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$8,350,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That the Food and Drug Administration may accept donated land in Montgomery and/or Prince George's Counties, Maryland.

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act, \$48,575,000, of which \$15,000,000 shall be retained by the Food and Drug Administra-

tion for repairs, improvements, and non-recurring repairs as determined by the Food and Drug Administration: *Provided*, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 per centum of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1993, as authorized, \$62,696,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109; \$47,485,000, including not to exceed \$700 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$40,426,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1994 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 657 passenger motor vehicles, of which 653 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954, and (7 U.S.C. 427, 1621-1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. [No part of the funds contained in this Act] Hereafter, none of the funds available to the Department of Agriculture may be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marijuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

SEC. 705. The cumulative total of transfers to the Working Capital Fund for the purpose

of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 706. New obligatory authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, and Integrated Systems Acquisition Project; Agricultural Stabilization and Conservation Service, salaries and expenses funds made available to county committees; Foreign Agricultural Service, Middle-Income Country Training Program; higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)); and capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890, including Tuskegee University.

New obligatory authority for the Boll Weevil Program; up to 10 per centum of the Screwworm Program of the Animal and Plant Health Inspection Service; funds appropriated for Rental Payments; and higher education minority scholars programs under section 1417(b)(5) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(5)) shall remain available until expended.

SEC. 707. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 708. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 709. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 per centum of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 710. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 711. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1993 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Serv-

ices Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 712. None of the funds provided in this Act may be used to reduce programs by establishing an end-of-year employment ceiling on full-time equivalent staff years below the level set herein for the following agencies: Food and Drug Administration, 9,824; Farmers Home Administration, 12,225; Agricultural Stabilization and Conservation Service, 2,550; Rural Electrification Administration, 550; and Soil Conservation Service, 14,177.

SEC. 713. Funds appropriated by this Act shall be applied only to the objects for which appropriations were made except as otherwise provided by law, as required by 31 U.S.C. 1301.

SEC. 714. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 715. [None of the funds provided in this Act] *Hereafter, none of the funds available to the Department of Agriculture may be expended to release information acquired from any handler under the Agricultural Marketing Agreement Act of 1937, as amended: Provided, That this provision shall not prohibit the release of information to other Federal agencies for enforcement purposes: Provided further, That this provision shall not prohibit the release of aggregate statistical data used in formulating regulations pursuant to the Agricultural Marketing Agreement Act of 1937, as amended: Provided further, That this provision shall not prohibit the release of information submitted by milk handlers.*

SEC. 716. Unless otherwise provided in this Act, none of the funds appropriated or otherwise made available in this Act may be used by the Farmers Home Administration to employ or otherwise contract with private debt collection agencies to collect delinquent payments from Farmers Home Administration borrowers.

SEC. 717. None of the funds in this Act, or otherwise made available by this Act, shall be used to sell loans made by the Agricultural Credit Insurance Fund. Further, Rural Development Insurance Fund loans offered for sale in fiscal year 1994 shall be first offered to the borrowers for prepayment.

SEC. 718. None of the funds in this Act may be used to establish any new office, organization, or center for which funds have not been provided in advance in Appropriations Acts, except the Department may carry out planning activities.

SEC. 719. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research Service that exceed 14 per centum of total Federal funds provided under each award.

SEC. 720. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal years 1992, 1993, and 1994 shall remain available until expended to cover obligations made in fiscal years 1992, 1993, and 1994 for the following accounts: Rural Development Insurance Fund Program Account; Rural Development Loan Fund Program Account; the Rural Telephone Bank Program Account; the Rural Electrification and Telephone Loans Program Account; and the Rural Economic

Development Loans Program Account: *Provided, That hereafter, such appropriations are authorized to remain available until expended.*

SEC. 721. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

[SEC. 722. Notwithstanding any other provision of this Act, none of the funds in this Act may be used to operate the seven regional offices of the Rural Development Administration after April 1, 1994.]

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a Market Promotion Program pursuant to section 203 (7 U.S.C. 5623) of the Agricultural Trade Act of 1978, with respect to tobacco or if the aggregate amount of funds and/or commodities under such program exceeds [\$127,734,000] \$75,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to enroll in excess of [50,000] 25,000 acres in the fiscal year 1994 Wetlands Reserve Program, as authorized by 16 U.S.C. 3837.

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Conservation Reserve Program authorized by 16 U.S.C. 3831-3845.

SEC. 726. Such sums as may be necessary for fiscal year 1994 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

[SEC. 727. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").]

[(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

[(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

[(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

[(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.]

SEC. 728. Notwithstanding the provisions of the constitution of any State or the laws of any State limiting the rate or amount of interest which may be charged, taken, received, or reserved, the rates of interest on loans guaranteed by the Farmers Home Administration and the

Rural Development Administration shall be the rates established pursuant to the applicable Federal statutes.

SEC. 729. Hereafter, the Food and Nutrition Service and the Human Nutrition Information Service may use incrementally funded nonseverable service contracts that are to be performed in two or more fiscal years to perform evaluations, studies and surveys related to food consumption, nutrition, or improving the administration and effectiveness of domestic food assistance programs.

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994".

Mr. BUMPERS addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas [Mr. BUMPERS] is recognized.

Mr. BUMPERS. Mr. President, I am pleased to present the fiscal year 1994 appropriations bill for agriculture, rural development, and related agencies.

The bill totals \$70.98 billion in new obligational authority. Under CBO scoring, the bill includes \$14.46 billion in discretionary authority and \$56.21 billion in mandatory spending. Included in the mandatory total is \$28.14 billion for food stamps, \$18.0 billion for the commodity Credit Corporation reimbursement of losses, \$7.5 billion for child nutrition programs, and \$1.77 billion for the conservation reserve program and the wetlands reserve program; 77.5 percent of our total bill is for mandatory programs.

In terms of the subcommittee's 602(b) allocation for discretionary funds, we have just met that allocation without a dollar to spare. As the old saying goes, we just barely balanced the books.

Any amendments that add money to the bill or increase its cost in any way must be offset by an equal amount or they will be subject to a Budget Act point of order.

To highlight some of the programs in the bill, let me first mention the WIC Program which is the subcommittee's top priority. It has received by far the largest increase in the bill. For WIC, we are providing \$3.214 billion, a \$354 million increase over last year, or 12.4 percent.

Let me digress from my remarks and say that that is a program that is championed strongly as a bipartisan measure in this bill. It is the measure by which we provide prenatal care and a healthy protein diet for poor, pregnant women. It has one of the highest cost-benefit ratios of anything we appropriate money for in the Senate.

On the issue of nutrition programs, the bill contains a total of \$39.5 billion for food programs, including WIC, food stamps, child nutrition, food donations, and emergency feeding. This amount represents 55.7 percent of the total bill. These programs actually benefit the urban areas more than they do the rural areas, simply because there are more people who qualify for

this assistance in urban areas. It was somewhat of a misnomer to call this a bill for rural America when you consider how much of it is for urban areas.

Other increases to the 1993 level of funding include \$23.94 million for the Food Safety and Inspection Service in order to provide better meat and poultry inspection and to fund the Secretary's pathogen reduction program.

Again, digressing from the formal remarks, this is an extremely important issue. We all know that the salmonella outbreak in Oregon and Washington last year at a food chain was a terrible tragedy for the country. Some of the members of the committee wanted to put language in saying that we would only tolerate a zero tolerance in food safety. There may come a happy day when we can have a zero tolerance with new technology but right now that would be very difficult though highly desirable.

The subcommittee is impressed with research conducted under the Alternative Agricultural Research and Commercialization Act and a \$4.8 million increase is provided.

A \$17.3 million increase is provided for the Soil Conservation Service so that it can better meet the conservation requirements of the 1985 and 1990 farm bills.

The President proposed significant increases for rural housing as does this bill. Included is a \$675.5 million increase for section 502 rural housing loans and a \$71.9 million increase for rural housing rental assistance payments in order to meet the estimated renewals and servicing of contracts.

The bill also contains significant increases for some of the other Farmers Home Administration loan programs including a \$1.482 billion increase for farm operating loans; a \$123 million increase for farm ownership loans; an \$18.9 million increase for water and sewer loans; a \$117.5 million increase for rural development loans; and a \$29.3 million increase for rural development loans. To complement the loans, a \$110.6 million increase is provided for water and sewer grants.

Bear in mind, all the increases I just mentioned are loans except for the last one which is for rural water and sewer grants. For my money that is just about the most important item in here.

I want to make special mention of what we did for the Food and Drug Administration. We provided an \$85.3 million increase over this year's level which is the same as the President's request. The President proposed to collect \$200 million in new user fees in 1994. The House did not provide for such a user fee. Our bill recommends that rather than \$200 million in user fees we generate \$175 million. The bill recommends that FDA generate \$175 million in new user fees. The recommendation to include these user fees was particularly troublesome for me

because I do question FDA's ability to collect them in time to be used in 1994.

And I might also say that this could have a devastating effect on small pharmaceutical companies and small prosthetic device companies. For example, many of the contact lens manufacturers in this country are small businesses with 20 employees or less. Since the House does not have this provision, obviously we are going to have a lot of blood on the floor before that becomes final.

We do not know yet how FDA will levy the fees and how they will be and who they will affect. While the administration has requested them, it has no specific plan for implementation to date. However, the fiscal constraints with which we are faced forced us to comply, in part, with the budget request.

Much interest has been expressed in the Market Promotion Program. This is the program by which we have American agricultural producers sell and compete with other countries who have much higher subsidies for agricultural exports than we have. The House cut this program from a \$147.7 million funding level to \$127.7 million. That is a \$20 million cut. Our subcommittee recommended that we cut the program to \$75 million for 1994.

I might say that a lot of that is my doing because I am not sure this program has been spending this money as wisely as we would like and, number two, I am not sure that the Government ought to be spending this much money for some of the things we heard about, and we will probably talk more about that later in the day.

The bill retains House language for the Federal Crop Insurance Program. That language limits participation by farmers who have significant and recurring losses and thereby produces savings in the bill. I know that Secretary Espy and others are looking at the program and are intent on making changes—changes that will coincide with alterations to the crop disaster assistance program. I hope that can happen quickly. If need be, we will revisit this issue in conference and make appropriate changes.

Like the House bill, no funds are provided for the Rural Development Administration; however, funds may be transferred from the Farmers Home Administration to RDA if necessary. While the House recommended that no funds be available to operate the RDA regional offices and there are about seven of them, I think, still in operation. The House said all of them must be closed by April 1, 1994, and the Senate bill would remove that provision. So that is going to be a hotly contested conferenceable item.

Secretary Espy is committed to reorganizing the department and the committee felt it would be best to await that recommendation prior to closing these offices.

Again, this issue needs to be resolved in conference.

Like the House bill, for the Conservation Reserve Program, no new sign-ups will be allowed in 1994.

For the Wetlands Reserve Program, the bill currently recommends an additional limited program of cost of \$22.25 million. An additional 25,000 acres will be entered into the reserve from 18 States, including the 9 States within the pilot program. The cost per acre of the initial pilot program was \$923 which, in my mind, is excessive.

Mr. President, you can buy some of the most fertile land in America in the Arkansas delta for \$923, and under the Wetlands Reserve Program we are paying for an easement, a wetlands, easement to the tune of an average of \$923.

Bear in mind, admittedly some of that land is very precious land in California and New York, and we have been paying as much as \$2,300 and \$2,400 an acre for it.

But to my distinguished colleague and ranking member, the Senator from Mississippi, let me say that one of the en bloc amendments that I will offer momentarily will put additional money into the wetlands reserve and increase the acres from 25,000 to 100,000, but we also have a proviso that no more than \$700 average may be spent per acre for this program.

Saving wetlands is a highly desirable thing. Environmentalists love this program, and I like it, too, but I am just saying the cost per acre is getting high. And the reason we settled on \$700 average, Mr. President, is you can still buy highly desirable land at a higher price but you are going to have to find some other desirable land at a lot less in order to average \$700 an acre if you are going to reach the 100,000 acre level next year.

The bill contains no funding for the Water Bank Program because the subcommittee felt that it was too similar to the Wetlands Reserve Program.

Mr. President, I highly commend this bill to my colleagues and solicit their support.

Having said that, Mr. President, let me now defer and yield to my very distinguished colleague and ranking member, Senator COCHRAN.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi [Mr. COCHRAN] is recognized.

Mr. COCHRAN. Mr. President, today the Senate considers H.R. 2493, the Agriculture, rural development, Food and Drug Administration, and related agencies appropriations bill. This is the second of the thirteen fiscal year 1994 appropriations bills to be brought before the Senate.

As reported, this bill recommends total appropriations of \$70.976 billion for the fiscal year beginning October 1, 1993. It includes funding for all programs and activities of the U.S. Department of Agriculture, with the ex-

ception of the Forest Service, as well as for the Food and Drug Administration, the Commodity Futures Trading Commission, and expenses and payments of the farm credit system.

I would like to point out to my colleagues that of the nearly \$71 billion in total new appropriations recommended, \$39.5 billion, or 56 percent, of the total spending is for domestic food programs. These programs include food stamps; child nutrition assistance, including the school lunch and breakfast programs; and the supplemental feeding program for Women, Infants, and Children [WIC] Program. In fact, this bill recommends \$3.2 billion in total funding for the WIC program for fiscal year 1994. This is an increase of \$353.5 million above the current level and puts us on track to reach the goal of providing full funding for WIC by the end of fiscal year 1996.

Including congressional budget scorekeeping adjustments and prior-year spending actions, the total discretionary spending recommended by this bill is \$14.460 billion in budget authority and \$14.139 billion in outlays. These amounts are consistent with the subcommittee's 602(b) discretionary spending allocations for fiscal year 1994.

The subcommittee is faced with extremely tight spending constraints this year. It received a discretionary spending allocation which was roughly the same as the total discretionary spending request of the President. Built into the President's request however, is approximately \$300 million in savings from new user fee proposals; \$1.1 billion in new program investments, \$600 million in proposed discretionary program savings, and close to \$500 million in program increases. The subcommittee has accepted a number of these proposals and rejected others. On balance, I believe we have produced a good bill given the limited resources available.

I would like to highlight some of the committee's recommendations for my colleagues.

The bill recommends an increase of \$22.9 million for the Food and Safety Inspection Service to pay for additional meat and poultry inspectors and to fund the Pathogen Reduction Program to assure the safety of our food supply.

It provides for increased investments in rural housing and development programs to meet the needs of rural America and to improve the lives of those who live in our Nation's small rural towns and communities. These increases include: an additional \$628 million in rural housing loan authorizations; an increase of \$71.9 million to provide rental assistance to low and very low-income families; an increase of \$194 million in rural water and sewer, community facility and industrial loan authorizations; and an additional \$111 million for rural water and waste disposal grants.

It accepts the House bill reform in the Federal Crop Insurance Program, saving close to \$70 million below the current level of funding required for this program, but \$76 million less than the administration's proposal.

It rejects the administration's proposed savings from the creation of a new Farm Service Agency, retaining the current account structure for the Agricultural Stabilization and Conservation Service, the Soil Conservation Service, and the Farmers Home Administration. The committee has taken this action since the structure of this new agency will not be specifically defined until USDA's reorganization proposal is released sometime this fall.

For important agriculture research activities, an increase of nearly \$30 million is provided, along with an additional \$4.8 million for alternative agricultural research and commercialization.

An increase of \$215 million is recommended for USDA land conservation activities, of which \$165 million is for mandatory payments under the Conservation Reserve Program.

For farm operating loans, an additional \$1.5 billion in loan authorizations is recommended, along with a \$123 million increase in farm ownership loan authorizations.

The bill does not recommend approximately \$105 million of the nearly \$300 million in new user fee savings proposed by the President.

Given the subcommittee's discretionary spending constraints however, the bill does include \$175 million of the \$200 million in proposed new Food and Drug Administration [FDA] user fees on FDA-regulated activities. The subcommittee simply could not find the savings required to avoid this action.

The discretionary spending allocation received by our counterpart House subcommittee is \$51 million in budget authority and \$200 million in outlays above the Senate's. It is my hope that a higher conference mark will allow the Senate to recede to the House on this issue.

I do not believe that new user fees should be established on an appropriations bill. This new user fee proposal should have separate review and authorization from the Congress. More troubling is the fact that the administration has made this proposal but cannot explain it, indicating in responses to questions submitted by the subcommittee that the details of these additional fees are still under development.

I also seriously doubt that implementation of this proposal would generate the \$200 million in fiscal year 1994 revenues claimed in the President's budget. If not authorized by an act of Congress, the FDA would have to implement such fees by regulation. FDA has previously testified before the subcommittee that

it would take 18 to 24 months to develop any new user fee and begin fee collections if done in this manner.

I would also like to raise a concern about the level of funding provided by this bill for the Market Promotion Program [MPP]. This program plays a valuable role in expanding overseas markets for U.S. agricultural products. The \$75 million recommended is far below the President's proposal of \$147.7 million and the \$127.7 million level contained in the House-passed appropriations bill. I believe a cut of nearly 50 percent in the current funding level for MPP is too severe. Here again, given the higher House bill level, I hope this program will receive more generous treatment in conference.

Mr. President, let me commend the distinguished chairman of the subcommittee, Senator BUMPERS. We have worked hard earlier in the year through hearings on this bill and the budget the President has submitted for the Department of Agriculture and related agencies, to get a wide range of input into the appropriations process.

As the chairman has stated, we have the responsibility under this legislation to provide the funds for the operation of the Department of Agriculture and other agencies for the fiscal year beginning October 1. I suppose the dilemma that the subcommittee faced and the Senate confronts today is how do you try to deal with all of the real and important needs that are funded in this legislation, but at the same time keep under consideration and try to deal with the ever-growing problem of the budget deficit that we face so that we will not undermine the economic well-being of our country in the process. We do not want to overspend in this bill, but we want to be responsive to those needs and, within the allocation of the funds given to this subcommittee under the budget process, to be responsible.

It was illustrated for me when I left my office this morning. There were several families in my office in the Russell Building visiting Washington with children to tour the Capitol and see the sights in Washington. I mentioned that I was on my way to the floor to help manage this agriculture appropriations bill.

One of the gentlemen there said, "Now don't forget we have got a big interest in trying to get an agriculture research center established in Mississippi. We are competing for funds for that. That is really important."

About that time, another person, who was in another family group, said, "And don't forget the budget deficit."

That is the point that we have to confront today: How do we allocate funds to meet the real needs and the concerns that many have for funding of different programs and projects and activities in this bill but still, at the same time, be responsible?

Well, I am prepared to recommend to the Senate that we approve this bill on both counts today. I think it does respond, as much as we can under our allocation, to many important activities, which range from food safety, to agriculture production support, to market development for agriculture commodities, to housing in rural areas, and various other programs administered by the Farmers Home Administration.

It, at the same time, recognizes that we cannot go overboard, though, in spending requests that we make of the Senate today.

One fact will illustrate what I think is an important consideration for the Senate. The subcommittee is recommending total discretionary spending, where we are not constrained with mandates of the law to provide funds for certain programs whether we want to or not but where we do have full discretion, \$14.46 billion in budget authority for the next fiscal year. This is \$80 million below the President's total discretionary funding request for the programs level of budget authority and activities included in this bill.

And so in a \$70 billion bill, as far as the discretionary spending programs are concerned, we have gone below the level requested in budget authority and total appropriations recommended in this bill are \$5.9 billion below the level requested.

There are a couple of areas that are dealt with in this bill that trouble me considerably. We discussed them in the subcommittee and full committee as well, but I want to bring them up for the information of Senators. They deal with the Food and Drug Administration user fee proposal that is contained in this bill and the substantial decrease in the funding level in this bill, as compared to the House and the President's budget request, for the market promotion program.

First of all, the Food and Drug Administration is directed by legislative language in this appropriations bill to implement a user fee program. I object to that strongly because that is the job for the legislative committee. We are here appropriating funds for existing programs that are already authorized by law, not to create new legislative authority for agencies that come within the jurisdiction of this bill.

So this committee, by directing the Food and Drug Administration to implement a user fee program to raise \$175 million to help offset their budget needs for the next year, is going beyond what, in my judgment, should be our appropriate course of action in funding the activities of the FDA.

First of all, we asked the Agency in our hearings whether or not a program for user fee collection could be implemented in time to actually receive revenue in this next fiscal year. FDA said it would take from 18 to 24 months before any fees could actually be generated if done by rulemaking.

First, you would have to put the proposal in the Federal Register, there has to be a period for public comment, and then the process has to begin and the collections have to begin. Well, by the time you see the money coming into the Treasury, you are going to be well past the next fiscal year. That is the whole point.

And so to score the FDA user fees as an offset for spending in this next fiscal year strains the imagination. In other words, in this bill we are claiming credit on the revenue side for \$175 million that we really are not going to see come into the Treasury until fiscal year 1995. So this needs to be addressed either on the floor of the Senate or in conference with the House.

We will have an opportunity to modify our proposal at some point in this process, and I strongly recommend that we do so. I know that there are Senators who are considering amendments on this subject and, under the unanimous-consent agreement that was entered into for consideration of this bill, there will be opportunities to take up proposed changes to this section of the bill. If and when those amendments are offered, I hope that we can resolve this issue in a way that is consistent with the authority of this committee and also with the realities of the budget process with respect to the funding for the Food and Drug Administration.

Like food safety, the activities of FDA are very important to everybody. Not only does that agency have the responsibility for establishing standards by which the nutritional values of food are measured—and the food labeling issue is one that is very important in providing information to people about what they are buying when they go shopping—they also have responsibility for licensing drugs and medical devices that can be sold here in the United States; very important work that this agency has. For a number of years, they really have not had the funds at the Agency that they need in order to do the kind of job that the American people have a right to expect and which is required of the agency under the law.

So this has been a dilemma and a problem, because the Agency is put in the position of competing with a lot of other popular programs that are funded in this bill, like the WIC Program, for example. We have a very generous appropriation for the Women, Infants, and Children Feeding Program. It has a health benefit that many recognize as a program that provides nutritional benefits to many in our country. We hope that by keeping on this funding track we will realize full funding for this program so that all those who are eligible can participate in it by 1996. And that is the track we are on in this bill.

A word about the market promotion program. I mentioned it as another

part of the bill that troubles me considerably.

The administration had requested around \$150 million in funding for the next fiscal year for this program. This was a program that was originally designed to target financial resources of the Federal Government to help deal with unfair trading practices in overseas markets.

The exporters and the farmers who sell their products in the international marketplace are confronted with some very serious problems. If you have the European Community and other countries using the treasuries of their countries to erect barriers or to subsidize their agriculture to the extent that we cannot compete, then we are out of business; we are out of the market.

We have seen, over the last 10 years particularly, a lot of aggressive competition in the use of Government funds in other countries to help deprive U.S. marketers and exporters of market access in various ways. So we created in the Congress, with the support of the previous administration, a Target Export Assistance Program. It was called the T Program. It provided funds to help exporters deal with these sometimes illegal but certainly unfair practices that were depriving U.S. marketers of access in the international marketplace.

A couple of years ago, the name of the program was changed to the Market Promotion Program. It still has the same purpose. And it has worked. It has proven to be very effective. Today, we should recognize the fact that a lot of our economic success in the United States is dependent upon our ability to compete effectively in the international marketplace. We have become the world's largest exporting country.

To get to that point, we have had to develop a partnership relationship with Government and business and agriculture and those who are interested in marketing what they produce in the overseas markets, because this is a very competitive and in many cases a highly subsidized enterprise for a lot of foreign government friends we compete with. But this program has served to give us more leverage, to provide the full resources of the U.S. Government to help ensure that there is fair dealing and fair play in international trade.

Of course, these commodities that are assisted by this program are agriculture commodities, by and large, food products and many related kinds of products that are supported in the export effort through this program. This bill provides only \$75 million, compared with \$147.7 million in requested funding by the administration. I hope we can address that sharp disparity in what the real needs are and what the bill we have here provides.

Let me at this point simply conclude by again saying I believe this is a bill

that deserves the support of the Senate. Under the current fiscal constraints, the Appropriations Committee has produced a bill which is, first, responsible in the recognition of the deficit problem and trying to hold spending, particularly discretionary spending, in line with the previous year's level of spending. But it also responds to some very legitimate and real needs we have in the wide range of issue areas that are supported and funded by the bill.

I hope the Senate will approve the bill.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded for the purposes of amendment as original text, provided that no point of order shall be waived by reason of the agreement with this request.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee amendments were agreed to en bloc.

AMENDMENT NO. 635

Mr. BUMPERS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows: The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 635.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 13, line 24, strike "\$29,888,000" and insert: "\$32,788,000".

On page 15, line 8, strike "\$71,117,000" and insert: "\$72,467,000".

On page 17, line 8, strike "\$441,852,000" and insert: "\$443,202,000".

On page 20, line 3, strike "\$11,000,000" and insert: "\$11,187,000".

On page 46, line 17, strike "\$22,250,000" and insert: "\$70,000,000".

On page 53, between lines 14 and 15, insert:

"AGRICULTURAL RESOURCE CONSERVATION
DEMONSTRATION PROGRAM ACCOUNT

"For loan guarantees authorized under sections 1465-1469 of Public Law 101-624, for the Agricultural Resource Conservation Demonstration Program, \$6,799,000 to any State defined as eligible under section 1465(c)(3)(A) of that Act. For the cost, as defined in section 502 of the Congressional Budget Act of 1974, \$3,599,000."

On page 72, line 11, strike "\$503,635,000" and insert: "\$490,184,000".

On page 72, line 13, strike "\$51,641,000" and insert: "\$50,261,000".

On page 73, line 9, strike "\$387,849,000" and insert: "\$377,490,000".

On page 88, line 1, strike "25,000,000" and insert: "100,000".

On page 88, line 3, between the period, insert: "Provided, That average per acre costs shall not exceed \$700".

On page 90, strike lines 3 through 9.

Mr. BUMPERS. Mr. President, I believe this amendment is not controversial and I will explain it briefly.

First, the amendment provides \$2,900,000 for the Agricultural Research Service to begin construction of a research facility in Florida. This level is the same as the House and the Senators from Florida have asked us to comply with the House.

Second, the amendment, on behalf of the Senators from Michigan, provides \$1,350,000 for research projects that were funded in the past. The amount is the same as the funding provided for 1993.

Third, the amendment provides \$187,000 for an extension integrated pest management project in the State of Maine. This is the same amount as was provided in 1993 and it was inadvertently left out of the bill.

Fourth, the amendment changes the committee's recommendation with regard to the wetlands reserve program. Rather than providing \$22,250,000 to enter 25,000 acres into the wetlands reserve, the amendment provides \$70 million and allows 100,000 acres to be entered. In addition, the amendment caps the cost per acre at \$700 on average. I am a big supporter of the wetlands reserve program and would like to see it successfully reach its goal of entering 1 million acres by way of permanent easements. My concern about the initial pilot was the cost per acre which was \$923. By limiting this cost, I believe the program can go forward and will be just as beneficial.

Fifth, the amendment provides \$3,599,000 for the Agriculture Resource Conservation Demonstration Program authorized in the 1990 farm bill. This program provides for the issuance of loan guarantees and interest assistance on loans made to State trust funds to assist eligible States in financing a farmland protection effort to preserve vital farmland resources for future generations. It is estimated that this amount will provide for \$6,799,000 in loan guarantees.

The amendment also deletes language regarding contracting authority for the Food and Nutrition Service and the Human Nutrition Information Service. Due to concerns raised by OMB and CBO about this language, I recommend striking it from the bill.

Finally, because these changes increase funding in several areas, the amendment reduces funding for the Public Law 480 title I program level by \$14.8 million. The resulting program level of \$540,445,000 is still \$44.1 million higher than the House and budget request levels.

Mr. President, I urge the adoption of this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the chairman offers an amendment which

includes funding for a variety of programs and activities. We had a lot of requests from Senators and others to fund projects, but we ran up against the allocation level and the authority we had to spend for programs of this kind.

Even as we were discussing a lot of proposals and requests in our subcommittee markup, we had some very small projects that were turned down at the chairman's recommendation because we were up against the spending level. One project in my State cost \$20,000; another project has suggested to be funded in Kansas; and another in Maine was funded. And there may be some others that we can revisit if we bring down the Public Law 480 funding. Some of these programs were left out intentionally, others were inadvertently left out as the chairman states, but still others have been reconfigured to fit within the definition of this amendment.

Before we clear this amendment on this side of the aisle, I hope the chairman will permit us to look at it a little more carefully and move to some other amendments that have been identified under the unanimous consent agreement for consideration.

I would have no objection to setting aside this amendment and proceeding to other amendments while we have a chance to look at these provisions and any other options that occur to us. That might be appropriate at this point.

Mr. BUMPERS. Mr. President, I have no objection to that. I would like to say all of these amendments are ongoing projects. These are not new ones. They are ongoing and they were, almost every one of them, an inadvertent omission on my part and the part of the subcommittee.

The other thing that I failed to say is the money we are going to spend for the wetlands reserve under these committee amendments makes it a nationwide program rather than a pilot program. It takes into consideration every State in the Nation.

With that, Mr. President, I ask unanimous consent the pending amendment be temporarily laid aside, and that it become the order of business immediately after each amendment to be offered hereafter.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Nevada [Mr. REID] is recognized.

AMENDMENT NO. 636

(Purpose: To provide that none of the funds appropriated or otherwise made available by this act shall be used to operate a regional office of the Rural Development Administration after April 1, 1994)

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration. I offer this amendment on my behalf, and on behalf of Senator BROWN and Senator BRYAN.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. BROWN, and Mr. BRYAN, proposes an amendment numbered 636.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 87, between lines 12 and 13, insert the following new section:

SEC. 722. None of the funds appropriated or otherwise made available by this Act shall be used to operate a regional office of the Rural Development Administration after April 1, 1994.

The ACTING PRESIDENT pro tempore. The Senator has 15 minutes.

Mr. REID. Mr. President, those Senators who are watching this debate and those staff members who are watching this debate should be advised that this is a rare opportunity. We always talk about saving money. We were here on this floor to Friday talking about a relatively small bill compared to this, the legislative branch bill. At that time, we were cutting literally nickels and dimes from the Library of Congress, the General Accounting Office, and other such agencies.

We always go home to townhall meetings and we respond to our constituents in mail and other fashions by saying, "I want to save money." It is a flag word throughout the United States; that there is too much bureaucracy, too much redtape, and we have to do something to do away with bureaucracies and levels of Government.

Here, Mr. President, is that opportunity. Here is that opportunity to save some money and also to do away with bureaucratic redtape and make Government more efficient.

What this amendment does is, in effect, phase out the Rural Development Administration. This was established in 1990. The reason it was established really no one knows. It was done during a conference committee, and it was done without the blessing of the Department of Agriculture.

The purpose, supposedly, has been unmet because no one knows what that purpose was to begin with. Instead of doing something to correct—as the language of the conference amendment said—to correct fragmented and haphazard rural development policy, we stood that on its head. We did everything but that. Instead, what we have done is the opposite. We have reinforced fragmentation and created overlap in jurisdiction, and that is an understatement.

There are seven of these RDA offices in the country. These offices are expected to handle loans for sewer and water systems, establishment of small businesses, and recreational uses and

facilities. These are activities that previously the Farmers Home Administration handled, and they did it quite well.

One RDA office currently covers an area stretching from the northwest corner of Montana to the Missouri Boot Heel, hundreds and hundreds of miles, hundreds and hundreds of unnecessary miles.

During the hearings on this before the committee and during the debate that ensued in the other body, it was clearly established that this extra layer of Government does nothing but create trouble for someone wanting to borrow money. They used to be able to go to their local office. Now, as indicated, they have to travel hundreds and hundreds of miles to go to the RDA office first. That is wrong. It should not have to be that way.

As an economic unit, it is obvious that rural communities in Montana have much different needs than those in Missouri. Why do we have this kind of regional structure? No one knows. Chairman DURBIN, on April 21, was asking this question. This was April 21 a couple of years ago. He asked the RDA guy:

Let me ask the question again. You have added another layer to the process *** of a person seeking water and waste disposal *** would showed up at the Farmers Home Administration, whether it is a county office, district office, or whatever, working their way to the State office and then finally the national office. You now have another stop in the office of the regional RDA, do you not?

And the man, Mr. Bennett, responds the only way he can: "We have a regional office."

He cannot defend the process because it is not defensible.

Further, Mr. DURBIN says:

I am not quarreling with what the new law requires of you. I am just asking why we have a new layer, and I think I understand Congress requires it. Now let me ask you this question. What do we get for this? What did we buy for our regional offices? What is different about your approach? Why is it more efficient for loan applications to receive a regional office review in this huge area that you allotted, for example, in the Midwest that stretches from northwestern Montana to the Boot Heel of Missouri. That is certainly not an economic unit. I live in that area. We do not identify with the folks in Missoula *** and they do not necessarily identify with us. Why do we have that kind of regional structure? What does it do? What does it add to the process?

And Bennett, in effect, with kind of a long, drawn-out answer had to acknowledge it does not add anything.

Let us look at what we have added to the bureaucracy already faced by rural communities. Mr. President, the reason people in rural Colorado, rural Nevada, rural America are upset with the bureaucracy is because of things just like this. They want to get things done. They do not want to have to travel hundreds and hundreds of miles to do

something that is totally unnecessary. As I indicated, under the old system, a loan was filed with the Farmers Home Administration district office, then it went to the State office, and, if necessary, to DC.

Now we added a new process. I have explained that we have a regional RDA office. Some of these RDA offices—only seven of them—you have to travel long and hard to get there. It is clearly another bundle of redtape, clearly another area of bureaucracy. We cannot ignore the fact that the RDA is another layer of fat around the Federal Government's waistline.

Mr. ROBERTS—this is not a partisan issue, he is a Republican House Member from Kansas—on June 29, 1993 said:

Two years ago, we decided that we would go forward with the RDA, this Rural Development Administration, and we put the rural development programs in that category under that banner. Then in keeping with that in terms of the decentralized policies, the gentlemen recommended we establish regional offices in Massachusetts, South Carolina, West Virginia, Missouri, Pennsylvania, Texas, and Oregon. The gentleman knows that the regional office that serves us in Kansas and Nebraska is located in St. Joseph, Missouri.

There will be an argument raised that it will cost money to phase these offices out, to close these offices, but that is the argument that is always used. We would not close a military base if we used that logic because it cost money to close a military base on the short term, but long term we save lots of money, and that is the point.

We need to phase these offices out. We will do it by next April. Their functions will be taken over, as they were, by the FmHA. It worked fine before. So Members should not buy the argument that it costs money to phase these out. Of course it does. It costs money to close a military base, but long term we save lots of money.

Congress needs to give the new administration a chance if they want to make some changes during the next 6 months. That is why it is not terminated immediately. Allowing this program to stay in place is not the answer. We need to do away with this office. It is created without the blessing of the Department of Agriculture. It seems that there are hundreds of secretaries of agriculture within the Congress, and I think we should have only one Secretary of Agriculture.

To quote again Representative DURBIN during the House Agriculture Appropriations Committee hearing this year:

What we did, in fact, by creating those regional offices was to create a new level of bureaucracy, a new stage in the approval process, and a great inconvenience to a lot of small communities.

I suggest that we would do a favor to small communities by adopting this amendment.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. BUMPERS. Mr. President, I yield myself such time as I may use.

I would like, first of all, to ask a question of the Senator from Nevada. I know what it costs to shut these offices down on April 1, 1994, but what would it cost to keep them open?

Mr. REID. My response to the manager of the bill is it costs far more than that, especially long term. I do not have the exact figures. It is about \$4 million, \$3.4 million to keep them open.

Mr. BUMPERS. For a year?

Mr. REID. Yes.

Mr. BUMPERS. If we leave them open from April 1, 1993, to April 1, 1994, that is—

Mr. REID. \$3,487,500.

Mr. BUMPERS. Roughly \$3.5 million.

Mr. REID. It would cost almost that same amount to shut them down.

Mr. BUMPERS. Mr. President, let me tell the Senator something. In the committee, I came down on the same side he did. The Senator from Mississippi, the ranking member of the subcommittee, felt strongly the other way. I finally acceded to the request of the Senator from Mississippi that we leave those offices open and deal with it at a later time for this reason:

No. 1, we did not have any good figures. The administration was insisting it would cost more to shut them down than to keep them open, which, I must confess, did not make much sense to me.

But having said that, as the Senator knows, the House provision shuts them down April 1, 1994. We did not. So we have a conferenceable item. We are going to go to conference with the House. They say shut them April 1. We say no. Let us wait until the Secretary of Agriculture comes with his whole agricultural reform proposal and see what he proposes.

Indications right now are that those proposals, which he is going to send to us in September, are probably going to recommend closing those offices, but they were the ones who asked us to leave them open until the Secretary's proposal was presented to us. That is the reason I finally agreed to not make the case, although the Senator has a strong ally in one of our Members; Senator HARKIN from Iowa feels very strongly that these offices ought to be closed immediately.

In any event, I must, in deference to my ranking member and as chairman of the committee, defend the position the committee took. And if the Senator was there—and I am sure he was—if he was in the full committee, I assured the chairman of the full committee, Senator BYRD, that we needed more cost data from the Department of Agriculture. We needed to know more about what the Secretary's proposals were likely to be, although we have been given indications that he, too, would close them. So I think the Sen-

ator would get his way in all probability. But we have a conferenceable item right now, and I am constrained to leave it that way for the time being.

Mr. REID addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. I appreciate the Senator's statement. I was at the committee, and I did hear the Senator's statements. My problem is, though, it is my understanding that the House language was stricken.

Mr. BUMPERS. In the Senate bill.

Mr. REID. Stricken in the House. So there, in effect, is nothing to conference. So if we do not do this, this group goes on again and again.

Mr. BUMPERS. Mr. President, let me say that I do not believe that is correct. The language was not stricken in the House bill.

Mr. REID. It is my understanding in reading the information from the House, Chairman DURBIN indicates that he acceded to the wishes of the House.

Mr. BUMPERS. In section 722, on page 87 of our bill, we struck it. The Senator may be looking at the language that we struck.

Mr. REID. OK, perhaps so. My response in either case, I say to my friend from Arkansas, is that I think we should get rid of this now. I think it would be a lot better. This agriculture bill is a very important bill.

Mr. BUMPERS. Mr. President, whose time are we on right now?

Mr. REID. I have the floor, so it is my time.

The ACTING PRESIDENT pro tempore. We are on the time of the Senator from Nevada. He has 5 minutes and 4 seconds.

Mr. REID. This is a very important bill. I heard the manager's statement, and I acknowledge this bill is more important to Las Vegas, which is a major metropolitan community of 850,000, 900,000 people, than it is to Tonopah, a community of 2,000 people, because the agriculture bill has so many things in it that relate to cities.

I think we would be doing the people of this country a favor, and certainly the Congress, if we just got rid of this now so you could deal with more important items during the conference. I think this is a layer of bureaucracy about which we do not need to hear from the Secretary of Agriculture. I think we should put it to bed and forget about it; it is too costly; it is red tape; and I think it is something we in good Government should simply do away with.

Mr. COCHRAN. Mr. President, will the distinguished Senator from Arkansas yield time to me in opposition.

Mr. BUMPERS. Mr. President, I yield such time as the Senator from Mississippi may use.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I think it is important for the Senate to reject the amendment offered by the Senator from Nevada. I have a very high regard for my friend from Nevada, and he makes some very important arguments about how we need to make sure that the offices of the Department of Agriculture are accessible and actually provide important services before we fund them in this legislation.

The offices to which this amendment would apply are the regional offices of the Rural Development Administration. They are not local offices. So the distance a person would have to travel to get to an office addressed by this amendment is not the same as driving to a local county office.

In our area of the country, for example, a three-State area is under the jurisdiction of the regional Rural Development Administration Office. We would not want to provide funding in this bill for county offices and then call them regional offices. There is a different arrangement in the administration of the Rural Development Administration.

When legislation was originally enacted to establish the Rural Development Administration, it was very controversial. There were efforts in the House every year to zero out this new agency. The Agriculture Appropriations Committee in the House, for example, would never provide money to fund the administration, the RDA.

We finally worked out funding in conference one year, and this agency began its work. It established a Washington office and regional offices. The whole idea was to consolidate loan and grant programs that would make available funds to local communities to help spur economic growth and to try to revitalize small towns and rural communities throughout this country. Some traditional programs were made available for this purpose and some new programs were created which were specifically under the jurisdiction of the new Rural Development Administration.

This year the issue is raised again, and the House, once again in expressing its traditional sentiment toward this agency, included language in this appropriations bill that prohibited the funding of the seven regional RDA offices that had been established.

In my State, for example, there is a regional office in Vicksburg, MS. It got off to a great start. It has jurisdiction over the States of Arkansas, Louisiana and Mississippi, and has done a great job in spurring the allocation of funds and the development of programs and projects in that three-State area to help do something about the economic problems of the Lower Mississippi River Valley.

We had a commission several years ago. The distinguished Senator from Arkansas took a leading role in developing some initiatives to help deal

with poverty and the problems of the delta area in our part of the country. The delta commission, one of the agencies which has been identified as especially important in helping to meet the goals and the challenges outlined by that regional commission, was established because of legislation introduced by the Senator from Arkansas.

The point is this: The House language is legislation. It seeks to define an organizational scheme for the Rural Development Administration. It says you do not need regional offices. As a matter of law, you are prohibited from having regional offices. That is the House position.

This Senator in the subcommittee raised the issue that this is legislation on an appropriations bill, which is inappropriate for us to carry forward in our bill. We had a debate in which we discussed fully this issue. There were some Senators in our subcommittee who argued very strongly that we should keep the House language while others argued against that recommendation.

In the full committee, we voted on this measure. The Senator from Nevada, who is a member of our full committee, was there and we discussed it. During a vote of the Appropriations Committee meeting in full committee, the Cochran amendment, which strikes the House language on this issue, was approved. I urge the Senate to support the recommendation of the Committee on Appropriations on this issue.

Another point is that the administration has suggested in its budget request that this bill provide for the consolidation of certain administrative agencies in the Department of Agriculture including the ASCS, the Farmers Home Administration, the Soil Conservation Service, and to form instead a farm service agency that would have the responsibility of administering programs at the local level that deal with local landowner and agriculture producer concerns, farm program applications, and other activities.

Both the House committee and the Senate committee declined to include that kind of language in this bill for one reason, because it is legislation. Even though it has funding consequences, it should be subject to hearings in legislative committees before that kind of mandate is included in an appropriations bill. The administration suggests that there would be substantial savings as a result of that consolidation.

But for the same reason we did not approve that request, we should not approve the suggestion now that the Rural Development Administration should be reorganized by a provision of the appropriations bill.

In support of that argument let me cite a letter dated July 16 that was written to the managers of the bill, to the chairman and ranking member of

the full committee from the Executive Office of the President, and specifically to the Office of Management and Budget. Some of the administration's concerns with this bill are spelled out in this letter. The first item under funding issues is the Rural Development Administration. It states that the administration is pleased the House has funded the Rural Development Administration. The administration urges the subcommittee to delete section 722 which would prohibit the funding of the operation of the seven regional offices of the RDA after April 1, 1994. Because the Secretary is currently reviewing the structure of the RDA, it would be premature to limit his options for restructuring.

That is the point. The Secretary of Agriculture has embarked upon a review of the organization of not only the Rural Development Administration but also the Department of Agriculture. Senators may remember that under Secretary of Agriculture, Ed Madigan, there was a move to consolidate local, regional, State and some Federal offices of the Department of Agriculture. A lot of hearings were held, including many regional hearings throughout the country. After several meetings were held on that subject, a proposal came forward.

One of the first questions that the nominee for the new Secretary of Agriculture, my friend Mike Espy from Mississippi, was asked when he appeared before our Agriculture Committee was: "What are you going to do about the proposed consolidation of local agriculture offices?" They say that county offices will be closed, and farmers will have to drive longer distances in some cases to get their applications for farm operation loans approved.

To paraphrase what the nominee said, he would prefer to concentrate on the Washington organization of the Department of Agriculture and save money there. He wanted to become more efficient at the top first rather than to consolidate and close county and regional areas as a first order of business. He did not shut the door on the notion that he might recommend legislation to reorganize the department at those local levels, but he did not want to do that first.

Let us give Secretary Espy a chance to complete his review, and make his recommendations in an orderly process to legislative committees. They can then be carefully considered and approved if we have to approve legislation to do it. If not, at least give Congress an opportunity to consider a comprehensive proposal relating to the organization of the Department of Agriculture.

That is why this amendment is inappropriate. We all want the Department to be as efficient as possible so that services are made available to farmers

and others who deal with the Department in an efficient way. We do not want overlapping of functions. We do not want any unnecessary inconvenience because of the way the Department is organized. But we are not going to solve all of those problems—or even some of them—by prematurely adopting a change in the organizational structure of this one agency within the Department.

It is my hope the Senate will refrain from jumping the gun, and refrain from imposing our view prematurely on the Department of Agriculture and its Secretary, Mike Espy, pending a full review of the organization and his recommendation.

Mr. REID addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, the amendment should be adopted. It will cut down on paperwork which we all want. It would cut down on the time for approval. I think cutting the red tape will better serve the communities involved.

Mr. President, I want to read to this body a letter dated July 6. This man had to write it on or about the fourth of July because he is very patriotic. In fact he jeopardized his own job. This is written to Chairman Richard DURBIN, chairman of the House Agriculture Appropriations Subcommittee. It is handwritten, by the way.

Subj: Eliminating the Rural Development Admin.

DEAR CONGRESSMAN DURBIN: I am writing you as a private citizen, although I am a 30 year employee of U.S.D.A., presently a Farmers Home Admin. District Director in Ithaca, N.Y. I would like to thank you for your recent stand in not funding R.D.A., and starting the steps to eliminate the agency.

R.D.A. in my opinion, was a poorly thought out structure, unnecessary, costly, and another layer of bureaucracy. Farmers Home Admin. employees continued to make the loans and service the loans, while R.D.A. looked for all the credit. Instead of more layers of government, we need to streamline and eliminate.

I think it's terrible that an agency like R.D.A. can be brought into existence with so little planning. There was no need for a 42nd U.S.D.A. agency.

Anyway, thank you for your vigilance in this matter.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ITHACA, NY, July 6, 1993.

RICHARD DURBIN,
Congressman, Ag. Appropriations Comm., Washington, DC.

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DEAR CONGRESSMAN DURBIN: I am writing you as a private citizen, although I am a 30 year employee of U.S.D.A., presently a Farmers Home Admin. District Director in Ithaca, N.Y.

I would like to thank you for your recent stand in not funding R.D.A., and starting the steps to eliminate the agency.

R.D.A., in my opinion, was a poorly thought out structure, unnecessary, costly, and another layer of bureaucracy. Farmers Home Admin. employees continued to make the loans and service the loans, while R.D.A. looked for all the credit. Instead of more layers of Government, we need to streamline and eliminate.

I think it's terrible that an agency like R.D.A. can be brought into existence with so little planning. There was no need for a 42nd U.S.D.A. Agency.

Anyway, thank you for your vigilance in this matter.

Sincerely,

Mr. BUMPERS addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator's time has just expired.

Mr. BUMPERS. Mr. President, I ask unanimous consent that I be permitted to proceed for 30 seconds.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BUMPERS. To the Senator from Nevada, who a moment ago said it would cost \$3.847 million to keep these offices open, I would like for the record to show that those figures are the figures that it cost to open those offices, not to keep them going.

Mr. President, has all time expired?

The ACTING PRESIDENT pro tempore. The Senator from Nevada has 2 minutes.

Mr. REID. I yield my time.

Mr. BUMPERS. I move to table the amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. Under the previous order the vote on the motion to table will occur following the cloture vote in relation to S. 919 which has been scheduled for 10 a.m. on Tuesday.

Mr. REID addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

AMENDMENT NO. 637

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act shall be used to operate the Board of Tea Experts)

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. BROWN, and Mr. BRYAN, proposes an amendment numbered 637.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to operate the Board of Tea Experts established under section 2 of the Act entitled "An Act to prevent the importation of impure and unwholesome tea", approved March 2, 1897 (21 U.S.C. 42) (commonly known as the "Tea Importation Act"). Except as specifically provided in the preceding sentence, the authority of the Commissioner of Food and Drugs shall not be affected by this section.

Mr. REID. Mr. President, everything I said in relation to the prior amendment applies a thousandfold to this amendment. I indicated there that we come to this floor and talk about saving money. We go home, we issue press releases talking about saving money. We are concerned about the deficit, yearly deficit. We are concerned about the debt that is accumulating. We are also concerned about redtape and bureaucracy.

I talked about that in regard to the RDA, why I think it is a waste of time and money and effort to continue that. I also, Mr. President, want everyone to know here that I think that the tea board that was established in 1897 is one of the biggest wastes that I could of imagined in Government.

We, in this country, in 1993, have a tea-tasting board that people—you can read the stuff. They swish tea around in their mouth to find out how it is. Well, there may have sometime been a reason for it. That escapes me. Certainly, there is no reason for it now. What this amendment does, not very cleverly, is abolishes the tea board. It should be done.

There are six outside experts, one from the Food and Drug Administration, that sit on this board. It is the board's duty to set standards for imported tea. Three people at the Food and Drug Administration also are involved in this—with taxpayers' money—in addition to these other three people. The cost of this program, by Washington standards, is not a lot of money—\$200,000 a year—but as a matter of principle, it is very heavy in dollars.

Its offset is \$200,000 a year. The industry fees are about \$70,000; so the cost to the taxpayer is around \$130,000. That may not seem like a lot of money when we are usually on this floor talking about hundreds of millions and billions of dollars. Why are we here talking about a couple hundred thousand? We are doing it because it sends the right message. It not only sends the right message to the American people in saving a couple hundred thousand dollars, it also does away with something that, in my opinion, should never have been created.

I do not often get to shop, but I went shopping the other day on one of the weekends I get to spend here in Washington, and I went to a Giant store and

bought some beautiful plums. I got home, and they just tasted terrible. Their looks were deceiving. Maybe, based on that experience, we should have a plum-tasting board. Or we have watermelons. Picking a watermelon, I do not care if you farmed watermelons all your life, it is tough to get a watermelon that is just right. Sure enough, I got some guy to help me there and he plunked it. I took it home, and it was horrible. Well, should we have a watermelon tasting board? Coffee. I am not a coffee drinker, but I know people enjoy their coffee. Should we have a coffee-tasting board?

Does tea receive a higher ranking in the status of drinks in our society than coffee? Why do we need a tea board? I do not know. If it is so important, let the tea industry pay for it. Why should there be 1 penny of taxpayer money involved in tea tasting? Why are their employees at the Food and Drug Administration, who are also as part of their job requirement, involved in tea tasting?

I do not want the Food and Drug Administration to stop testing and evaluating imported agricultural products for safety, but I also do not want a tea-tasting board. The FDA can continue doing whatever is necessary to protect the integrity and quality of tea. But they can do that even if we abolish the tea-tasting board.

What we need, I think, is a congressional tea party, and we should dump the whole board of tea experts overboard. It seems inappropriate, Mr. President, and I think morally inappropriate to expend taxpayer money for such a program.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. BUMPERS. Mr. President, I have very good news, indeed, for the Senator from Nevada. I am not about to stand here and defend an \$8,000 appropriation for a tea-testing board. We will accept his amendment.

Mr. REID. I accept your acceptance.

The ACTING PRESIDENT pro tempore. Is all time yielded back on the amendment?

Mr. BUMPERS. Yes, we yield our time, Mr. President.

Mr. COCHRAN. Yes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 637) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, let me say, for the benefit of my colleagues who are either listening, or who are trying to wing their way back to Washington this morning, according to our count, there are roughly 27 colloquies

and amendments in the unanimous consent agreement.

That means if things go like they usually do around here on a Monday, we will probably be here at midnight. When I say "we," I am talking about Senator COCHRAN and I, and everybody else will be home having a great time.

So I strongly urge my colleagues to come over here and offer their amendments or colloquies, or whatever. Obviously, some of these will not be offered. But I want to thank my friend from Nevada, Senator REID, for coming over and offering his amendments. We have disposed of those two.

I want to send a warning to all of my colleagues who are on this list that if they do not offer their amendments and some disposition is not made of them today, no amendments will be in order on this bill after today.

They either get them in now or they do not. If they wait until the usual time this afternoon at 3 or 6 o'clock this evening, somebody is going to be left holding the bag, because at the hour of midnight, under the unanimous consent agreement, as I read it, all time for offering amendments will have expired.

So I just issue that little admonition and hope that some of our colleagues are listening and will get over here to offer their amendments.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I have indicated that I will have an amendment to H.R. 2493, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill, 1994. I have visited with the chairman and ranking member of the Appropriations, Agriculture Subcommittee, Mr. BUMPERS and Mr. COCHRAN, regarding the subject I wished to address in this amendment and I may very well not offer that amendment. I would like to discuss for a moment the issue of concern to me and then ask for comments from the chairman and ranking member.

Mr. President, I, as well as every Member of the Senate, know that many worthwhile projects have been included in this legislation; also many have not been included in this legislation. The biotechnology wing at the University of Idaho is one such project. I would like to take a moment to give my colleagues the benefit of the history of this project.

At the beginning of the University of Idaho biotechnology project, Congress

devised a step-by-step process for distributing available funds in an effort to equitably distribute limited funds available.

In fiscal year 1990, Congress appropriated \$50,000 for the Cooperative State Research Service [CSRS] to conduct a feasibility study on the need for a biotechnology wing at the University of Idaho. As a result, a CSRS team visited the site and reported support for the facility.

Based on this recommendation, the Congress has appropriated over \$1.5 million—\$590,000 in fiscal year 1991; \$500,000 in fiscal year 1992; \$431,000 in fiscal year 1993—for this facility.

This Federal funding was based on a matching formula of not more than 50 percent Federal funding and not less than 50 percent non-Federal funding, including funds provided by State and private sources.

Mr. President, it should also be noted that the State of Idaho has to date contributed over half the money spent on this project, \$1.7 million of State funds compared to \$1.5 million in Federal funds, and has a commitment to fund well over half of the total project costs, \$6.3 million of State funds compared to \$5.9 million in Federal funds.

American agriculture has consistently produced abundantly to supply a variety of products for both domestic as well as foreign markets. There is great pressure on American agriculture to continue this high level of production. Research in general and biotechnological research in particular is essential to allow American agriculture to stay on the cutting edge of productive capacity. The biotechnology wing at the University of Idaho is designed to be an important part of that national effort.

It appears the dollars already appropriated to date for the Idaho facility represent a firm commitment to provide the remaining Federal funds necessary to complete this project.

Over the years, as the funding of this project has proceeded, we have seen the give and take in the appropriation process. Last year, for example, the House provided no funding, the Senate committee provided funding and the Senate conferees insured continued funding for this project. This year, H.R. 2493 provided \$1,000,000 in the bill as passed by the House and the bill as it is presented to the Senate includes no funding for this project.

I have visited with the distinguished chairman and ranking member of the Appropriations Subcommittee on Agriculture, Rural Development and Related Agencies, Mr. BUMPERS and Mr. COCHRAN, regarding funding for this project and have received assurances that if this bill is passed as reported out of the Senate Appropriations Committee, they would strongly consider a proposal to preserve funding for a biotechnology wing at the University of

Idaho in the Conference with the House.

I would like to ask the chairman and ranking member of the subcommittee if that characterization of the discussion was correct?

Mr. BUMPERS. That is correct.

Mr. COCHRAN. That is correct.

Mr. CRAIG. I thank the chairman and ranking member, and with that assurance will not offer my amendment.

Mr. President, I had earlier on suggested that I might have an amendment to the agriculture, rural development, Food and Drug Administration, and related agencies appropriation that is now being considered here on the floor of the Senate. But I would like to announce that an accommodation has been worked out between myself and Senator COCHRAN, the ranking Republican, and the chairman, Senator BUMPERS, and I truly appreciate that being able to be accomplished so an amendment would not be necessary.

Mr. President, what that amendment related to and what our agreement has related to is an effort that has been going on for some time between the U.S. Government, the USDA, and the State of Idaho to develop a biotechnology project program at the University of Idaho and for the overall construction of a biotechnical wing and program on the campus in Moscow at the University of Idaho.

Over the last several years, from 1990 forward, we have done the necessary investigative work working with the Federal Government in establishing that this was the kind of program that the Government would want to participate in. And then, starting in 1991 and 1992 and 1993, fiscal 1993, the Federal Government began a long-term relationship with the State of Idaho in a 50-50, dollar-per-dollar match approach that has resulted to date in about \$1.7 million in State funds being expended, and about 1.5 million in Federal dollars.

This project, upon completion, will reflect a total of about \$11 million, with the State being the larger participant. These are the kinds of cooperative relationships that I think the Government and the Congress want to become involved in, where you have a partner who clearly is a partner and demonstrates the need and is willing to use the resources of the State, in this instance, to be a full participant.

We all understand the importance of biotechnology and the kind of work that is going on out there, that really is pushing American agriculture and the productivity of American agriculture further ahead. Where once we used to look at the application of fertilizers and herbicides and insecticides, and that brought us a quantum leap of production over the last many decades, now the whole effort in biotechnology is the one that probably moves us forward in the 21st century with the kind

of productivity that we come to appreciate from American agriculture and, frankly, that the world has come to depend upon.

The House last year failed to fund, and we did. This year, the House spoke to it and we did not. The chairman and the ranking member agreed to work with me and strongly consider this effort as we move to conference, and certainly I appreciate that. It is an important project. We are well into it, as I mentioned, in the kind of relationship of partnership that we would want to have.

I thank both the ranking member, Senator COCHRAN, and the chairman, Senator BUMPERS, for participating with me in this effort.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, let me commend the distinguished Senator from Idaho for bringing this important activity to the attention of the managers of the bill. This is a program that has had the support of the Cooperative State Research Service. A team visited the University of Idaho and found that this was an important program. And so funding has been provided over the last few years, and the managers have committed themselves to make every effort in conference with the House to continue funding for this project at an appropriate level.

We thank the distinguished Senator for reminding us of the importance of this initiative.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate as if in morning business for no more than 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROMOTION OF AIR FORCE COL. CLAUDE M. BOLTON, JR.

Mr. GRASSLEY. Mr. President, last week, I came to the floor on Thursday and Friday to clarify my position and to express concern about the pending promotion of Air Force Col. Claude M. Bolton, Jr., to the rank of brigadier general.

Colonel Bolton was program manager of the advanced cruise missile or ACM from September 1989 to September 1992.

Mr. President, the ACM Program has come to a disastrous end, and we need

to know who should be held accountable for what happened.

The DOD IG charges that the ACM Program violated the Antideficiency Act while Colonel Bolton was in charge.

The Armed Services Committees and the GAO have uncovered gross mismanagement in the program during Colonel Bolton's tenure as program manager.

We need to assemble all the facts and evaluate all the evidence before making a final decision on Colonel Bolton's promotion.

Mr. President, I would now like to resume my discussion of the ACM procurement scheme.

Mr. President, I would like to briefly review the facts bearing on the procurement scheme.

"In July 1991," according to the DOD IG, "program officials determined that the cost of the fiscal year 1987 and 1988 ACM contracts would exceed budgeted targets and would approach or exceed ceiling costs."

The Air Force had two big problems. First, the Air Force had only enough money to cover the target price in the contract, and no more.

Second, the Air Force was locked into a fixed-price contract with the contractor—General Dynamics/Convair. Under the contract, the Air Force paid 100 percent of all costs to the target price.

If costs exceeded the target price, then the Air Force paid 70 percent of those costs and the contractor paid 30 percent. The contractor was liable for all costs over the ceiling price.

How did the Air Force solve the problem?

The Air Force tore up those contracts for the convenience of the Government and instantaneously rewarded new ones to the same company, using money previously authorized and appropriated to buy other ACM missiles.

The terms and conditions in the new contracts were not favorable to the Government.

Mr. President, this was the essence of the procurement scheme, and the Senate Armed Services Committee took a dim view of it.

The committee's critical assessment of the ACM Program appears on pages 55 to 57 of the report on the fiscal year 1993 Defense authorization bill (Rept. No. 102-352).

The Senate Armed Services Committee's appraisal of the procurement scheme is very honest but damaging.

The committee is distressed by what has happened to the ACM Program. While the committee never mentions Colonel Bolton by name, the mismanagement described in the report clearly occurred on his watch.

The Senate Armed Services Committee said "the Air Force both gave up its negotiated ceiling cost cap and jeopardized the warranties on partially completed ACM's."

The Senate Armed Services Committee said: "had new contracts been completed, the Air Force would have had to pay both more profit to the contractor than would have been provided under the original contracts, and more than the ceiling amounts in the original contracts."

Mr. President, we do not yet know how all this finally played out, but it does not sound like a very good deal to me.

Listen to this. Here is some more from the Senate Armed Services Committee report.

This is the Senate Armed Services Committee talking: "the Air Force has dug itself a deep hole on the ACM program, and the committee does not intend to extricate the Air Force from its current predicament."

The committee expressed fear that the program would "end in expensive and wasteful disarray."

Those same concerns were echoed in last year's conference report on the Defense authorization bill—on page 538 of House Report No. 102-966—where ACM got another thumbs down appraisal.

The conferees expressed frustration and concern about the possibility of "repetitions of the ACM fiasco" in the future? Those are the conferees, exact words: "Repetitions of the ACM fiasco." That is how the conferees saw the ACM Program. It was a fiasco. A fiasco is a complete failure.

Those are strong words for the Armed Services Committees.

Even though the conference looked down on ACM as a fiasco, they were generous with the money.

The conference gave the Air Force another \$127.1 million in fiscal year 1993 money "to deliver 450 operational ACM missiles to the using command."

I am puzzled by that move.

Why would Congress provide another \$127.1 million to buy 450 ACM's when Congress had already authorized and appropriated enough money to buy 520 ACM missiles?

Guess what?

The taxpayers should be happy to hear this. They better grab their wallets.

The Air Force now wants another \$482.9 million, one-half a billion dollars, to complete those 520 ACM missiles.

The extra one-half billion dollars is needed to finish the last 60 ACM missiles that are lying in pieces—abandoned—on a factory floor in San Diego, CA.

Those 60 ACM's are lying in pieces on the factory floor because the Air Force ripped the program apart to get some money.

The 60 missiles, which may never be delivered, are from the fiscal year 1990 and 1991 contracts. Those contracts were torn apart by Air Force officials to finish 120 missiles from the fiscal year 1987 and 1988 contracts.

Is this how the Air Force will raise money in the post-M account era.

They should have asked Congress for the money, but they did not. Instead, they chose to raise the money outside of the law. To do that, they had to rip the ACM Program apart.

Mr. President, we already paid for those 60 missiles. How many times over do we have to pay for those missiles?

The reprourement scheme was not only very destructive and wasteful, it was also illegal.

It violated another very basic rule to control the use of public money.

It violated section 1502 of title 31 of the United States Code.

Section 1502 is the companion piece to the Antideficiency Act. The two statutes work together to ensure that agencies maintain fiscal discipline and stay within funding limits set by Congress.

The Antideficiency Act and section 1502 are supposed to provide leak-proof control financial control.

If you run out of money as Colonel Bolton did then you come back to Congress with hat in hand and request legislative relief.

There is no escape clause.

You cannot draw on appropriations provided for other purposes and fiscal years to bail yourself out of trouble.

Once again the Air Force tried to use contracts to overturn the law of the land.

The Air Force attempted to make an end-run around Congress.

A distorted interpretation of section 1502 was the philosophical underpinning for the reprourement scheme.

The Air Force attempted to launder old bills and old work through the reprourement scheme to make them look new.

Well, the deception failed.

The nature of the underlying work never changed; man-hours and money were needed to complete work-in-progress—120 unfinished missiles from the fiscal years 1987 and 1988 contracts. That is old work.

No matter how you slice it, Mr. President, new money was used for old work.

Mr. President, why would the Air Force need to spend \$600,000 to "relabel 120 fiscal year 1987 and 1988 ACM's?"

I will tell you why.

Air Force officials spent \$600,000 to make old missiles look like new missiles, like cosmetic surgery.

They had to make the year of manufacture match up with the money.

If this was indeed new work, there would have been no need to relabel. There would have been nothing to relabel.

Mr. President, the relabeling of the ACM missiles reeks of fraud.

Section 1502 specifies that appropriations can be used only to cover obligations properly incurred during their period of availability.

The reprourement scheme, which was cooked up by Mr. Donley and Mr. Beach and carried out by Colonel Bolton, initially used fiscal year 1992 but eventually 1990 and 1991 money to cover obligations incurred in fiscal years 1987 and 1988—a clearcut violation of section 1502.

I have documents that show the Air Force officials knew they had to use fiscal years 1987 and 1988 funds to cover the ACM cost overrun. They knew it was wrong to use other moneys for that purpose.

DOD Comptroller O'Keefe disapproved the reprourement scheme on March 31, 1992, because it was illegal.

But the Air Force went ahead and did it anyway.

Mr. President, I ask unanimous consent to have three documents printed in the RECORD: First, Mr. O'Keefe's March 31, 1992, memo to Mr. Donley; and second, two Air Force documents, dated October 1991, that show Air Force officials knew that they had to use fiscal years 1987 and 1988 money to fund the ACM cost overrun.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

COMPTROLLER OF THE
DEPARTMENT OF DEFENSE,
Washington, DC, March 31, 1992.

Memorandum: For the Assistant Secretary of the Air Force (Financial Management and Comptroller).

Subject: Advanced Cruise Missile Program Funding.

It is evident from your memorandum of March 27, 1992, that you have not been kept informed of the ongoing staff level discussions relative to the appropriate use of prior and current year funds. In these discussions it has been clear that prior year contract adjustments to cover target to ceiling cost adjustments are chargeable only to the fiscal year appropriation of the contract.

Your staff has been asked on several occasions, to develop a paper supporting the position that the FY 1992 ACM program funds could be appropriately charged to cover the cost of the prior year programs. Until such time as a legal determination, based on the facts peculiar to this program, is approved by Counsel, you should not proceed to charge current year funds as proposed.

SEAN O'KEEFE.

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS AERONAUTICAL
SYSTEMS DIVISION (AFSC),
WRIGHT-PATTERSON AIR FORCE
BASE, OH

October 30, 1991.

Subject: Request for Expired Appropriations for Contract Overrun (FY88, Appn: 3020). To SAF/FMBMB.

1. Request you provide Budget Authorization to fund a contract requirement. The following information provides the specifics concerning this request:

a. Amount Requested: \$27,100,000 (FY88, Appn: 3020).

b. Date funds are needed, lead time away from obligation date, necessary to get contractual documents processed: May 1992.

c. Date approval is needed to preclude penalties from accruing: The contractor states current funding will cover work through

June 1992. Any work performed thereafter will be unbillable due to insufficient funding on the contract.

d. Amounts, nature, and dates of penalties that would accrue: Unknown.

e. Accounting Classification: 5783020 158 6045 20CLPG 010100 00000 659900 F59900.

f. Contract Number: F33657-88-C-0103.

g. Name of Contractor: General Dynamics, Convair Division.

h. Type of Contract: FPIF (70/30 percent overrun share).

i. Contract Purpose: Production of Advanced Cruise Missiles (AGM-129A) in the FY88 procurement contract.

j. Date of the original contract: 30 January 1990.

k. Contract change certification: This requirement is not for a contract change.

l. Amount of FY88 funds previously deobligated from the contract: None.

m. Within scope certification: This requirement is within the scope of the original contract.

n. Purpose of adjustment: To fund the Air Force share of over-target costs on this production contract. The latest estimate-to-complete conducted by the ACM Program Office in September 1991 indicates that the final contract price will be at contract ceiling price. The DCAA will provide an audit report concerning the contractor's overrun proposals. This report is due to the Program Office approximately 4 November 1991.

o. Justification for using the expired appropriation: Appropriations used to fund cost increases are the same as used to fund the original effort (i.e., FY88/3020) per DoD Directive 7200.4, Full Funding of DoD Procurement Programs, implemented by AFR 172-14. Cost overrun is attributable to: (1) unplanned efforts associated with the investigation, redesign, and replacement of missile components failing to meet required specifications or quality standards; and, (2) factory shutdown and restart impacts related to suspension of missile delivery.

p. Amount originally obligated for the contract: \$133,603,000 (excludes \$98,130,000, FY87 Advance Buy funds obligated for this purchase).

q. Program name: Advanced Cruise Missile (AGM-129).

r. Cumulative amount of restorations approved for program: None known at field level (i.e., ASD/VC). Appropriation records kept at SAF/FMBM.

s. Total amount obligated from FY88 for the program: Appn: 3020; BPAC: Multiple; Amount: \$144,294,950.

t. Amount previously deobligated from FY88 for the program: None.

u. Source of deobligations: None known. Financial and contracting personnel in the ACM Program Office are auditing contractual and accounting records for this contract to reconcile with those of the contractor. Any excess obligations will be reapplied to fund this overrun.

2. My point of contact for this matter is Mr. David C. Engwall, ASD/VCPB, AV:785-7879.

MARK V. DAVIDSON,
Director of Program Control,
Advanced Cruise Missile SPC.

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS AERONAUTICAL
SYSTEMS DIVISION (AFSC),
WRIGHT-PATTERSON AIR FORCE
BASE, OH

October 28, 1991.

Request for Expired Appropriations for Contract Overrun (FY87, Appn: 3020).

To: SAF/FMBMB.

1. Request you provide Budget Authorization to fund a contract requirement. The following information provides the specifics concerning this request:

a. Amount Requested: \$71,500,000 (FY87, Appn: 3020).

b. Date funds are needed, lead time away from obligation date, necessary to get contractual documents processed: 16 December 1991.

c. Date approval is needed to preclude penalties from accruing: The contractor states current funding will cover work through December 1991. Any work performed thereafter will be unbillable due to insufficient funding on the contract.

d. Amounts, nature, and dates of penalties that would accrue: Unknown.

e. Accounting Classification: 5773020 157 6045 20CLPG 0012 659900.

f. Contract Number: F33657-88-C-0103.

g. Name of Contractor: General Dynamics, Convair Division.

h. Type of Contract: FPIF (70/30 percent overrun share).

i. Contract Purpose: Production of Advanced Cruise Missiles (AGM-129A) in the FY87 procurement contract.

j. Date of the original contract: 25 September 1989.

k. Contract change certification: This requirement is not for a contract change.

l. Amount of FY87 funds previously deobligated from the contract: None.

m. Within scope certification: This requirement is within the scope of the original contract.

n. Purpose of adjustment: To fund the Air Force share of over-target costs on this production contract. The latest estimate-to-complete conducted by the ACM Program Office in September 1991 indicates that the final contract price will be at contract ceiling price. The DCAA will provide an audit report concerning the contractor's overrun proposals. This report is due to the Program Office approximately 4 November 1991.

o. Justification for using the expired appropriation: Appropriations used to fund cost increases are the same as used to fund the effort (i.e., FY87/3020) per DoD Directive 7200.4, Full Funding of DoD Procurement Programs, implemented by AFR 172-14. Cost overrun is attributable to: (1) unplanned efforts associated with the investigation, redesign, and replacement of missile components failing to meet required specifications or quality standards; and, (2) factory shutdown and restart impacts related to suspension of missile delivery. The attached explanation of the overrun chronology is for your information.

p. Amount originally obligated for the contract: \$537,200,000 (9/25/89).

q. Program name: Advanced Cruise Missile (AGM-129).

r. Cumulative amount of restorations approved for program: \$2,524,950 was returned to the program via Amendment 11, OA-760-027, on 6 March 91. \$3,236,000 was issued via Budget Authorization #35, issued 30 September 1991. These additions were provided for payment of Award Fee liabilities.

s. Total amount obligated from FY87 for the program: Appn: 3020; BPAC: Multiple; Amount: \$555,600,000.

t. Amount previously deobligated from FY87 for the program: None.

u. Source of deobligations: None known. Financial and contracting personnel in the ACM Program Office are auditing contractual and accounting records for this contract to reconcile with those of the contractor.

Any excess obligations will be reapplied to fund this overrun.

2. My point of contact for this matter is Mr. David C. Engwall, ASD/VCPB, AV:785-7879.

MARK V. DAVIDSON,
Director of Program Control,
Advanced Cruise Missile SPC.

Mr. GRASSLEY. I yield the floor. I believe, Mr. President, that there is no quorum present, so I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 638

(Purpose: To provide that none of the funds appropriated or otherwise made available by the Act shall be used by the Secretary of Agriculture to make payments to a person to support the price of honey in excess of \$50,000 per crop year)

Mr. BROWN. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is laid aside. The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 638.

Mr. BROWN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. (a) None of the funds appropriated or otherwise made available by this Act shall be used by the Secretary of Agriculture to provide a total amount of payments to a person to support the price of honey under section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446h) and section 405A of such Act (7 U.S.C. 1425a) in excess of \$50,000 in the 1994 crop year.

Mr. BROWN. Mr. President, this amendment is quite straightforward. It deals with the honey program. The honey program is one of those programs that the President has specified should be eliminated entirely.

As you are aware, and I think other Members of this body are aware, we did not eliminate the honey program in the reconciliation bill, although both the House and Senate in the reconciliation bill did act to limit the Government's exposure in this area. I believe significant savings will be achieved in

the reconciliation bill. While that is not a portion of the conference that I think is finally decided, I think the Members of this body can look forward to some savings in this area. It will not, however, equal the request of the President, which was to eliminate the program entirely.

The program is one that shows more about our sense of humor than it does about our realistic determination to try and end the waste in the Federal Government. Some have said that without this program, bees simply would not pollinate crops. Without the subsidies, the U.S. fields would go unpollinated and that crop disasters would follow worldwide.

The reality is that bees will retain an interest in flowers, whether we have a Federal program or not. It might be of interest, I think, for the Members to look at what other countries around the world do.

Russia is the world's biggest producer of apples and flax, and yet they have no honey subsidy program. Brazil is the world's leading producer of oranges and casaba melons, and yet they have no honey program. China is the world's biggest producer of pears and the leading producer of apples, cabbages, carrots, melons, and oranges and, yet, they have no honey program.

Argentina is the world's biggest producer of flaxseed and the leading producer of sunflower seeds and, yet, they somehow survive without a honey subsidy program.

Mexico is one of the world's leading producers of oranges, avocado, mangoes and safflower seeds and, yet, they are able to maintain the interest of their bees in flowers and pollination without a subsidy program.

Mr. President, the suggestion that agriculture will end, where the bees will lose interest in flowers, or that our crops will go unpollinated if we do not have a Federal subsidy program in this area is ludicrous. The rest of the world makes that proof positive, and the history of our country, frankly, makes that the case.

What the amendment that is before the body does is simply says this: We are going to put a limit of \$50,000 a year on the amount of subsidies that any one person can get from the Federal Government. It is a modest amendment. It does not eliminate the program, as frankly I would like to. But what I think it does do is limit the amount of money that any one producer can take out of this taxpayers' pockets. I believe it will help make America more competitive and this industry ultimately more productive and creative.

I might say, Mr. President, the group of honey producers that have been such strong advocates of this program over the years are good people. They are simply defending their own self-interest. I do not fault them for that at all.

That is the way a democratic system works. But what I do find fault with is a Congress that has not been able, thus far, to face up to the realities in this area.

Ultimately, if you look at the American economy, the areas where we have the most problems are not areas where we have competition, it is areas where we have a lack of competition and subsidy programs that have kept our producers from participating in the market fully.

Less than 4 percent of U.S. honey producers participate in this program. This is a program where much of the receipts, much of the money goes to the big guy, not the individual small producer, but the small 4 percent that enjoy the program, while 96 percent do not. Among that 4 percent, it is only a handful of people who rake in the huge dollars.

This amendment would simply say this: We are going to limit the amount of money that you can take from the Federal Government in this program to \$50,000 a year. I would like to see that much lower. I would like to see the program eliminated, but this is a modest step that I think will go a long way toward making this a more competitive, a more creative industry.

Mr. President, some have said that pollination will simply end if we do not have this subsidy program. I might mention that that has been dealt with in a number of ways. Not only do the leading countries not have a similar program, but it is also true in areas where pollination services are particularly needed and particularly valuable, the producers already help pay for pollination services.

My guess is if pollination services run short in any area, it will be the interest of the producers in that area to come up with their own fees to encourage additional pollination services. That is the way the market system works. The market system is far more efficient, far more productive at allocating resources than any Federal program, and certainly this one in particular.

What this amendment boils down to is a simple question: Are we going to continue huge subsidies to large producers in the honey industry, or are we going to help make this industry more competitive and ultimately, I believe, more productive? This amendment will accomplish that. This amendment will at least limit the amount of money that goes to the big producers.

We need to do far more work, and I anticipate that we will have additional amendments and debates on this subject on into the future.

But I hope the Senate will take this small modest step to limit the handouts to not more than \$50,000 a year.

Mr. President, I as for the yeas and nays on this amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BROWN. Mr. President, I reserve the remainder of my time.

Mr. BUMPERS addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, we have debated this honey subsidy a number of times in the U.S. Senate and, quite frankly, it would be better if this were considered in reconciliation by the authorizing committee rather than putting it on the appropriations bill.

I have voted in the past to support this program which I think runs around \$30 million a year. I am not sure. I have done so with some reservation and concern because it looks like a gigantic boondoggle. I do not know an awful lot about the honey program, but if I could have the Senator's attention for just a moment to ask him a series of questions.

No. 1, how many honey producers last year participated in the subsidy?

Mr. BROWN. My understanding is just over 4,000.

Mr. BUMPERS. Four thousand? Were most of those concentrated in a particular geographical area of the United States?

Mr. BROWN. There are producers all over the Nation, but I think they are, indeed, concentrated in our agricultural areas.

Mr. BUMPERS. What is the world price of honey right now? Can the Senator answer that?

Mr. BROWN. The world price varies from country to country. It is not as widely traded as perhaps others, but as the Senator knows, the reconciliation bill is contemplating dropping the target price below 50 cents into the area of 47 cents a pound. I would be happy to supply for the record the latest world target price.

Mr. BUMPERS. The Senator anticipated my next question. If you were a honey producer, how much subsidy do you get per pound of honey produced?

Mr. BROWN. This program operates in a variety of ways. One is a loan program. One is a deficiency payment.

Mr. BUMPERS. What is the deficiency payment?

Mr. BROWN. The deficiency payment will depend on the difference between the market price and the target price in any particular year. What we found, though, is that a small handful of producers have been getting a huge share of money, whereas the vast majority of honey producers do not receive anything from the program.

Mr. BUMPERS. The vast majority of honey producers do not receive what?

Mr. BROWN. Do not receive any assistance or subsidies under the program.

Mr. BUMPERS. Why not?

(Mrs. FEINSTEIN assumed the chair.)

Mr. BROWN. Apparently the paperwork involved is complicated enough for the amounts of money they produce, it is simply not worth their while.

Mr. BUMPERS. There are hundreds of bee producers, probably thousands across the country—I would say maybe hundreds in my State—who produce a small amount of honey and just sell it on the local market.

And the Senator is saying those people, many of them do not choose to fill out the paperwork to get a subsidy, is that what we are talking about?

Mr. BROWN. That is right. According to USDA, at least the numbers indicated that back in 1941 there were only 500 people who did so. The current estimates brought that closer to 4,000, which means literally less than 4 percent, if you take the new numbers, participate in the program at all.

Mr. BUMPERS. How much of the honey consumed in this country is imported?

Mr. BROWN. A significant portion is imported, and I would be glad to supply for the record the Finance Committee-USDAs figures.

Mr. BUMPERS. Europe has some of the biggest exporters to this country.

Mr. BROWN. There are a number of foreign exporters, but among those exporters that supply honey into our market and, indeed, are challenged by the Honey Producers Association—

Mr. BUMPERS. For example, is not Romania a big producer of honey?

Mr. BROWN. Yes. I will be glad to supply for the RECORD the listing as supplied by the USDA. My understanding is that roughly 30 percent of the U.S. honey market is held by imports at this point.

Mr. BUMPERS. Would the Senator consider bees as a pollinator very important, rather important, not so important, not important at all?

Mr. BROWN. I would consider it very important.

Mr. BUMPERS. As pollinators.

Mr. BROWN. Indeed.

Mr. BUMPERS. Can the Senator tell us what the effect would be on the pollination of crops in this country if we did away with the provision of pollination?

Mr. BROWN. I believe there would be no change whatsoever.

Mr. BUMPERS. It is the Senator's opinion then that nobody would go out of the honey business if they did not get this subsidy?

Mr. BROWN. Yes. However, I think the nature of the honey business would change.

The Senator will appreciate my position at this point, but as one living in agriculture before I came to this body, one whose family has been involved in agriculture for a number of generations, I think I have some background in this area.

My own impression is that in those areas of commercial use and sales of

hives; this is, moving hives into an area for a particular season, whether it is alfalfa in my part of the country or almonds in California or other crops, the commercial hive business may well grow in years to come. Where there is a significant and noticeable advantage of utilizing commercial hives for pollination, and where the producers in that area view the advantage of having people bring hives into their area, I think you will see the commercial hive market expand in years to come.

Mr. BUMPERS. Mr. President, I have seen stories, the last one I think being in the Wall Street Journal, on this issue, and it followed some of these people who had maybe 100 hives. They load those hives on a truck, and they go out and they put those hives, we will say, in an orchard or in a cranberry crop or whatever else may need pollinating. And the person who owns that land and is trying to produce those crops pays this owner of 100 hives so much per hive to leave those hives there for about 2 or 3 weeks during the pollination period. The Senator is familiar with that, is he not?

Mr. BROWN. I am familiar. The land I used to farm in Weld County—I might say it was particularly in an area where alfalfa was grown—people vied for the right to bring hives onto the farm; in fact, various farm interests would pay commercial bee hive operators to bring the hives there, but that varied from area to area. Yes, the Senator is correct. There are some areas where people do, indeed, pay beekeepers to bring in bee hives.

Mr. BUMPERS. In that same story, some of the people who own these hives are sort of like the people combining wheat, where these combine crews move from Texas to the Canadian border over the period of the wheat season. These people, as I understand it, do much the same thing. They move from one crop to the next, depending on the blooming period, the best pollination period.

Those people were quoted in the Wall Street Journal as saying they could not begin to make it if it were not for the subsidy. They said, for example, if they had to depend totally on the farmers who were paying them for the use of their bees, they would have to hang it up.

Now, the Senator would agree with me, I am quite sure, that if Romania and Hungary, for example, are willing to supply this country with all of its honey needs, at roughly 60 percent of what our honey producers say they have to have to stay alive, how would the Senator figure that any bee producer, any honey producer on this day could stay afloat and sell his honey to compete with Romania, for example, or Hungary?

Mr. BROWN. First of all, I freely acknowledge that the folks who get this money are delighted to receive it and

are going to make as good a case as they can to keep getting it. I do not fault them for that. Everybody has to be their own advocate in this world, and these are all bright people. Indeed, if there is something they can do or say to continue to get money, they are going to do it.

But I think it is important to keep in mind that 96 percent of the producers in this Nation, albeit I think fairly the smaller producers, produce honey without any subsidy from the USDA's honey program. And second, that where commercially it is attractive for commercial bee interests to move from place to place to provide pollination services and it simply cannot be done without an assistance, that already happens—that is, people pay for the pollination services if they need them, and if they are advantageous. If they are not advantageous, I do not expect that the commercial bee interests will get paid for their services.

But it seems to me that rather than having the taxpayer stuck with the cost of subsidizing bee pollination services, or have an inefficient subsidy program, we are far better off to let the market dictate that result. And, indeed, if it is a plus agriculturally in those instances where they move bee hives in to pollinate almond trees, for example, it seems to me that that is more properly a cost that should be attributed to the producer, not to the taxpayer.

Mr. BUMPERS. Mr. President, let me say that I understand the issues like this, and I understand the political fallout. People will get 10 times more excited over \$500,000 to restore Lawrence Welk's home than they will extending the test ban treaty or spending \$100 billion for the space station. They do not understand a billion for the space station but they understand \$500,000 to restore Lawrence Welk's home.

Last year I was up for reelection, and I went into a courthouse basement down in Hot Springs, AR, where a long line of people were waiting to register to vote. It was the last day to register. I was walking along the line shaking hands with the people. This fine looking young couple, I thought they would probably be interested in student loans, Pell grants, nuclear test ban, and that sort of thing, do you know what they said? "We just want to know one thing. How did you vote on that honey subsidy?"

So it is a hot political issue around the country. It is the sort of thing with which Rush Limbaugh can have a ball. He deals with everything that is irrelevant, and certainly he would have a picnic with the honey subsidy. But I happen to be an aficionado of bees.

I may vote with the Senator. I am not swearing I will not because I am not interested in taking all the political flap. But if this became law, can

the Senator tell me that it will have no effect on the pollination of crops in this country?

Mr. BROWN. Yes. I think the Senator asks a very fair question, and I know he has brought a number of proposals to the floor of the Senate that focus on reducing spending. So I wish to acknowledge his sincere interest in that effort.

I believe it will have some slight impact on crop pollination. I think you will see in a very few areas with large commercial bee populations that there may well be assistance or payments made by large agricultural producers to people who supply bee hives in these areas. I do not think the impact of reducing our subsidy of pollination services will be major, but I think it would be a mistake to not acknowledge that without the Government subsidy you may well see some additional payments having to be made by large agricultural producers to beekeepers.

Mr. BUMPERS. Let me say to the Senator, No. 1, as a Senator from by far the biggest rice-producing State in the Nation—Arkansas produces almost 50 percent of all the rice produced in this Nation—it is my firm opinion if we did not have a rice program, there would not be a bushel of rice grown in Arkansas.

You can talk about agriculture subsidies. A lot of people love to talk about it. This is always their choice. If you want to do away with the subsidy, you can always do it. The talk show hosts have a ball with that one, too. But there are some things that are worth doing in this country. There are some things that Government ought to do. There is a role for Government in a whole host of areas, despite a lot of rhetoric you hear to the contrary today.

I am concerned about this. Can the Senator tell me whether or not the wind produces more pollination than bees, or the other way around?

Mr. BROWN. Let me first acknowledge that while there are many strong advocates of the honey program in the U.S. Senate, I am delighted to respond to your question.

I suspect that I may well in the time that remains today for this bill to be debated and amendments to be debated, that I may not be pictured as a fair advocate for the honey program. I do not believe in the program. I think it is a waste of money, and I think this is a waste for the U.S. taxpayers to support. There is no question there are other ways to pollinate plants. And I acknowledge that bees play a critical part in many of the areas.

Mr. BUMPERS. Madam President, let me say I may vote with the Senator on this, because the Senator is not trying to kill the program. The Senator, as I understand his amendment, is saying no honey producer may receive more than \$50,000 as his subsidy for producing honey.

Mr. BROWN. Yes, that is correct. This puts the same limit on payments to individual honey producers that we voted for earlier this year in the reconciliation bill for limitations on payments for the wool and mohair price support programs.

Mr. BUMPERS. I think the Senator is going to eliminate some of the biggest honey producers in the country with this.

Mr. BROWN. It will limit the amount they get, and some have received as much as \$150,000 a year. It will limit that.

Mr. BUMPERS. Can the Senator tell me what was the biggest subsidy paid to any honey producer last year?

Mr. BROWN. In the record, I have shown a payment of \$154,000 to one of them. As the Senator knows, there are a variety of ways that this money can be received. But the best records as we have been able to obtain from the U.S. Department of Agriculture indicate that in 1991 Richard Dee and his family received \$191,000; Horace Bell received \$154,000. But these are dated figures from 1991.

Mr. BUMPERS. As I say, I am not going to move to table the amendment unless the Senator from Mississippi wishes to. We will give you an up-or-down vote on it. I reserve my own feelings about the thing because the reason I have been willing to take the political heat for a program which is seen nationwide as a gigantic boondoggle, one of those crazy things Congress does to get votes—it will not get many votes because there are not enough honey producers to amount to anything. I can tell you, the consumer of this country is already getting a bargain. The consumer is already paying essentially the price for imported honey. I am not concerned about that.

What I am concerned about is what the people in California are going to do. Their orange blooms, apple blossoms, all of those things have to be pollinated. Until this thing came to my attention 2 or 3 years ago, I thought bees were the only way you could pollinate. There are other ways, I find. I find that the wind itself is a pretty big pollinator, but a very uncertain pollinator. Bees are sure fire.

So it does cost quite a bit. But the Senator is not trying to eliminate the program. I may vote with him.

I yield the floor.

Mr. BROWN. Will the Senator yield for one last comment?

Mr. BUMPERS. I am happy to.

Mr. BROWN. Madam President, in response to the Senator, let me confess that while this amendment caps the payment limit at \$50,000, my underlying intention is indeed less kind than that. I would not want the Senator to have voted for this amendment and not know that my only concern is that this program does not efficiently utilize honey producers. On the contrary, all

the amendment does is limit the amounts paid to honey producers to \$50,000.

Further, in response to the Senator's prior question about the U.S. market price for honey, I am advised the last figure we have from the USDA, indicates that the average price for U.S. honey per pound was 55.8 cents. That, as I say, is a dated figure. I know the Senator appreciates it is a changing market.

Mr. COCHRAN. Will the distinguished Senator yield?

Mr. BUMPERS. I am happy to yield to the Senator from Mississippi.

Mr. COCHRAN. Madam President, I asked for the time for the purpose of suggesting to the Senate that it may be more appropriate, rather than acting on the amendment on this bill that would deal with the payment limitation, to monitor closely the work of the legislative committee conferees who are meeting on reconciliation, the massive big bill that includes a lot of parts that are under the jurisdiction of certain committees. This very subject is being debated in the conference on the reconciliation bill.

It is in this context the Senate Committee on Agriculture, in our effort to meet the spending cut targets that were proscribed to the budget resolution for programs under the jurisdiction of the Agriculture Committee, has sought to reduce the cost of this program by about \$41 million by reducing the loan rate that is available to honey producers.

We do that by moving the loan rate from 53.8 to 47 cents per pound. That is calculated by the Congressional Budget Office to save \$41 million between fiscal years 1994 and 1998.

The House committee, on the other hand, dealt with it as the Senator from Colorado is seeking to deal with the problem, by reducing the limit in the payment to individual producers under this program. But rather than immediately capping the payment at \$50,000 per producer, the House committee reduces progressively the payment limit from \$125,000 to \$50,000 a year.

There is also a modest adjustment in the loan rate from 53.8 to 50 cents per pound. The House provision is calculated to save only \$23 million over this period of time, compared with the \$41 million in savings of the approach of the Senate Agriculture Committee.

My point is this: This is subject to discussion right now, and Senators and House Members who are meeting on this conference are going to work out some savings. I think it is clear to everybody who would look at the House provision and the Senate provision in conference that at least \$23 million would be saved if the least decisive or dramatic reduction in spending, which is the House side suggestion, is agreed to.

So there are ways to get at savings in this program. I simply point out to

Senators that adopting this amendment is not necessarily the best way to do it. It is a gesture toward reduction of the cost of the program. If the Senator later on wants to move to delete the entire program, of course that could be done, too, I suppose. But this is a matter of legislation. This is legislative authority. This is an Appropriations Committee bill that simply provides the funds to carry out the programs that are already authorized as a part of the 1990 farm bill.

So I am suggesting that there is a procedure that is underway to deal with savings in this program. It is being undertaken now by the legislative committees, which have jurisdiction over legislation.

The matter before the Senate is one of appropriation, and it is inappropriate to change the legislative authority of this program by amendment as the distinguished Senator from Colorado seeks to do. I admire what he is trying to do. We think, in the legislative committee, we are moving in that direction, as he would suggest we should. And we would even achieve greater savings by reducing the loan rate, as we proposed to do in conference with the House, by a greater savings than would be achieved if the Senator's provision right now is adopted.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Madam President, the distinguished Senator from Arkansas had inquired, in our earlier discussions, as to who participates in the beekeeping industry throughout the Nation.

The American Beekeeping Federation, who is, of course, interested in preserving the honey price support program, provided a handout; and while I have not had an opportunity to independently verify it, understand that their information on the individuals who compose the bee industry are reasonably accurate. Their handout shows Colorado with 52,000 bee colonies, 42 full-time employees, and 104 part-time employees. It shows Arkansas with 45,000 bee colonies, 36 full-time employees, and 90 part-time employees. The biggest honey producing State in the Nation is California. And the handout does indeed show that beekeeping activities take place throughout the Nation in every State of the Union. One of the very large honey producing States is South Dakota, with 240,000 bee colonies and 480 part-time employees and 192 full-time employees. The handout does identify those beekeeping activities taking place in every State.

Madam President, I think the key here is that all my amendment does is say there is a limit to how much you can take out of the Federal taxpayers' pockets. It simply limits the amount you take to \$50,000. This hits a few of the "big boys" in the industry. And what it plainly suggest is that there is

a limit to how much you are going to stick the taxpayers with in subsidizing the honey program.

Moreover, I'd like to note a couple of things: This is an appropriate and in-order amendment. It is simply a limitation on the amount that is spent on certain honey producers. Indeed, I think the distinguished Senator from Mississippi is quite correct. The authorizing committees, in conference, are going to modify the program. But he simply makes a different kind of limitation—that is, with regard to the total amount of money that any one person or entity can receive.

Madam President, I think this amendment makes sense. We do not know whether a majority of the Members of this body will want to eliminate the program or not. But I believe it is quite clear that the American people will want to limit the amount they have to pay out to any one producer. You can make a point about the family farm and those small individual operations that may need help. But that argument surely does not apply when you are getting more than \$50,000 a year from the Federal Government.

There ought to be a limit as to how much in subsidies we hand out, and there ought to be a limit as to how much we put in the pockets of honey producers. I believe the American people would think \$50,000 is too high a limit. They probably would prefer a much smaller amount. This is a modest proposal, one that I believe merits the approval of this body.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. How much time is remaining, Madam President?

The PRESIDING OFFICER. There are 8 minutes 54 seconds. Senator Brown has 19 minutes 49 seconds.

Mr. BUMPERS. Madam President, a couple of brief remarks. This is one of those 1-hour amendments.

First of all, I misspoke myself earlier when I said the program costs \$30 million. It does not. The cost of the program this year is \$16,910,000. The cost in 1994 will come down still further to \$12,246,000. So the cost of the program is dropping pretty dramatically, and I am not sure quite why.

In any event, I want to make a couple of points. The Senator from Colorado listed some countries who have an active bee industry and no subsidy. That is true. But if you have ever been to Romania, which is one of the biggest honey producers in the world, you can see why. We are not trying to compete with countries that pay \$1 an hour in wages. Obviously, some of these countries, like Brazil and others, that sell a lot of honey to this country can do it because they can produce it for a lot less than we do.

Politically, it is probably good to just abolish the honey subsidy. That is

one of those things you can never explain to people. The amendment of the Senator from Colorado is fairly minimal. But, in any event, as I say, I have been troubled by it. I am tempted to say that we ought to maybe take it on a voice vote and go to conference with it. The House does not have similar language.

Madam President, how much time is remaining?

The PRESIDING OFFICER. There are 6 minutes 37 seconds remaining.

Mr. BUMPERS. I yield 5 minutes to the Senator from North Dakota [Mr. DORGAN].

Mr. DORGAN. Let me thank the chairman of the subcommittee for yielding the time. We are going to get to where the Senator from Colorado wants us to get over time. The question is the method he proposes today. And the question I want to deal with is, What is the problem? We are always seeming to deal with the symptoms of the problem and not the problem.

If you are a honey producer—and I expect the Senator from Colorado is not, and I am not—you know what the problem is. We have a flood of cheap imports coming into this country, most notably and especially from China, that undercuts our honey program and the honey price. Well, not many people think about that, unless you produce honey.

I will talk for a minute about the situation with China. This is a very interesting situation, not just with honey, but with a massive amount of trade from China. This country has gone to nearly an \$18 billion trade surplus with us in a very short period of time. They sell \$18 billion more into our economy than we are able to sell into theirs. They buy a lot of wheat, and our wheat producers are thankful for that. But they do not buy nearly enough wheat. Do you know what they do? They are off shopping for wheat bargains from Canada and elsewhere. We used to be the major supplier of wheat to China. We are not anymore—the Canadians are—despite the fact that they have run up an \$18 billion trade surplus with us.

So they are off price shopping for wheat from Canada and elsewhere. They ought not to be doing that. They have a responsibility to buy wheat from us. They flood our markets with imports, including honey, and that undercuts our price. If we did not have the Chinese imports, we would not need a honey program. But when you have inordinately cheap products coming in from a country like China, that undercuts your program, then we have the need for a minimum honey program. The fact is this is headed toward a no-cost program in 1994.

Again I say, if we do not have backdoor honey or cheap honey coming from China, we do not need a program. Let us deal with the trade problems we

have. You would not have to be here on a honey amendment if it were not for Chinese exports to this country and the amount of Chinese honey on our shelves.

I say to the Senator from Colorado that I understand and sympathize with many of the things he tries to do in a range of areas dealing with Government costs and wastes, and so on. But the fact is, in a range of areas, with respect to trade, with China especially, it causes disruptions in our programs and causes dislocation in income to our producers in a way that I think is unfair. I prefer to say, let us put a tariff that is appropriate on Chinese honey, and then we do not need a honey program in this country. Get rid of the program right now and put a tariff on the Chinese honey that undercuts the price for our producers.

I appreciate the chairman's giving me the time to discuss my perspective on this. I hope that we will follow through on what we now have in law that requires us to be at a no-cost provision on honey and our Federal programs. It is where we are going, where we are going to be, and where we should be. I support that.

I yield the floor.

THE PRESIDING OFFICER. Who yields time?

Mr. DASCHLE. Mr. President, virtually every year, Congress finds itself revisiting the issue of whether to continue the honey program. Each year we hear the same arguments. We hear that honey is a powerful special interest group that has Government in its back pocket, that money spent on honey is wasted money, and that bees will continue to make honey and provide adequate pollination service without the encouragement of a Government program. This year, I will again do my best to demonstrate why these arguments simply do not hold water.

VALUE OF THE PROGRAM

The beekeeping industry's significance to the rest of agriculture is often overlooked or even maligned. Beekeeping is vital to American agriculture. The U.S. Government has supported the price of honey since 1950 by providing market price stability to honey producers to encourage them to maintain sufficient honeybee populations to pollinate important agricultural crops.

More than 140 cultivated crops either require or benefit from bee pollination, including millions of acres of fruits, vegetables, oilseeds, and legume seed crops.

Pollination provided by honey bees has increased in importance to farmers in recent years as urbanization and other pressures on the environment have reduced the availability of other natural pollinators.

The United States is a net importer of honey. While we can import honey, we cannot import pollination. A vast majority of pollination is provided free

to the public through the random movement of bees. It is not unreasonable that the public protect this pollination through a tiny loan program that is needed to keep this pollination service available.

A study several years ago by Cornell University placed the value added to pollinated crops by the U.S. honey bee at \$9.7 billion.

The ratio of value added by the program, \$9.7 billion, to the program cost, \$17 million, is 570 to 1.

Bee culture is practiced throughout the United States, in areas with widely different types of climate and flora. Some beekeepers move their colonies 30 times or more a year—from several miles to several thousand miles—to provide pollination services or increase honey production. Consumers benefit from the honey program because it helps maintain the honey bee colonies that in turn pollinate important food and fiber crops. An estimated 15 percent of the plant-derived portion of the human diet comes from plants dependent upon or benefited by insect pollination. Much of the beef and dairy products consumed in the United States are produced from insect-pollinated legumes. About one-third of the human diet is derived directly or indirectly from insect-pollinated plants.

The value of the honey bees as pollinators far exceeds the value of the honey and beeswax produced. However, for most beekeepers, the receipts from honey and beeswax sales far exceed the fees received for pollination services.

Honey bees also provide benefits for home gardens, orchards, and natural ecosystems.

If the price support program is withdrawn or reduced, the supply of honey bee colonies will be jeopardized and much of U.S. agriculture that depends on pollination will be hurt. Honey production provides the incentive for beekeepers to maintain strong colonies of bees during the many months of the year that bees are not involved in commercial pollination.

The honey price support program has enabled beekeepers to continue operations and provide vital pollinating services while also assuring consumers of a stable supply of nutritious honey at reasonable prices.

Any decline in the number of honey bee colonies that may result from changes in the honey program will directly affect the number of honey bees available for pollination. Of most concern will be pollination of those agricultural crops that require large concentrations of bees for a commercial crop. It is unlikely that the areas where these crops are grown contain a sufficient number of wild bees, other pollinating insects, or honey bees managed by local beekeepers to provide adequate pollination without the assistance of commercial beekeepers. While some farmers do maintain a

small number of honey bee colonies to pollinate their crops, it is unlikely that large producers of field crops would have the expertise, labor, capital, investment, or bee pasture needed to permanently maintain large numbers of honey bee colonies.

SUMMARY OF THE PROGRAM

The honey program has undergone extensive revisions in the last two farm bills. In the 1985 farm bill the loan rate for honey was reduced at the rate of 5 percent a year. The 1990 farm bill froze the loan rate at 53.8 cents per pound but lessened the benefits producers receive by increasing the price at which they are able to redeem honey that is under loan. The result is that the cost of the program has dropped from \$100 million in 1988 to a cost of \$17 million in fiscal year 1992. That is a decline of 83 percent over the space of 5 years.

Currently both the House and the Senate versions of the Reconciliation Act of 1993 reduce the amount of payments that may be received by a person from \$125,000 in the 1994 crop year to \$100,000 in the 1995 crop year, \$75,000 in the 1996 crop year, and \$50,000 in the 1997 and subsequent crop years. This is the same payment limit of \$50,000 per producer as being proposed in the current amendment, but the payment reduction is phased in over a period of 3 years, giving the industry time to comply. In addition, the House and Senate reconciliation packages go beyond simply limiting payments. They also sharply reduce the minimum price support level for honey.

The net result of this action is a honey program whose total cost to the taxpayer as proposed by the House is minimal, and whose cost in its Senate version is zero.

DECLINE OF THE INDUSTRY

This will be a honey program that has been cut down to its bare bones. It will be the smallest program possible if we want to preserve any honey industry at all, because this is an industry already in serious decline. Despite the importance of bee colonies, the number has been dropping rapidly. Since the peak in 1947 of 5.9 million, the number has dropped to the most recent estimate of 3.2 million colonies, based on beekeepers with 5 or more colonies.

The decline in colonies is connected to the decline in the price for honey. Since 1981, the average price of honey has declined from a record 63.2 cents per pound to about 50 cents per pound, largely due to the declining support price.

Meanwhile, the costs of honey production have been rising. Honey producers also are facing increasing competition from imports of honey from countries such as China. Even though the program has been cut to very low levels, it is still necessary to help cope with these and other threats.

In addition to dealing with massive cuts in the support program, honey

producers are struggling with two mites which are devastating the industry, and no viable control measures are available at this time. To add to these problems, the Africanized, or so-called killer bees have arrived in southern Texas. As the industry deals with the economic impact of these threats, now is a poor time to make other changes that will threaten the industry's survival.

Contrary to arguments that honey producers are all wealthy freeloaders, earlier testimony from a Michigan State University entomologist before the Agriculture Committee showed that most commercial beekeepers are operating at a loss. The commercial beekeepers are in serious financial difficulty. The average yields per colony do not allow a return on investment, or in some cases even a reasonable salary. Beekeeping supplies and equipment costs are rising at, or higher than, the inflation rate.

Mr. President, you have heard, or will hear, that the program benefits only a few beekeepers. But the beekeepers who participate in the program are precisely the ones who are commercial operators. Every one with an apple tree in their backyard is not operating a fruit orchard, likewise, everyone with a bee colony is not a commercial beekeeper. The roughly 4,500 to 5,300 commercial beekeepers who participate in the Honey Board programs account for 99 percent of the honey produced in the United States.

You also have heard, or will hear, that honey producers are receiving large payments. There are only a handful of producers in the United States that reach the current payment limits. Over half of the producers who participate in the program receive less than \$5,000. The average commercial operation is only 2,400 colonies. Also keep in mind that beekeeping is labor intensive. The average commercial operation with 2,400 colonies is supporting a family and at least 3 full-time employees and their families. One hundred and twenty-five thousand dollars may sound like a lot of money for one person, but when it's spread over the costs of the operation, including labor, it's often not enough to cover expenses.

It is clear, Mr. President, that commercial beekeeping is vital to American agriculture. Benefits far outweigh the costs of the program. The honey industry has seen its prices drop while its costs are rising. It is struggling against imports and new threats. Commercial beekeepers are not getting rich off the honey program. They are losing money. The average beekeeper receives very modest payments from the honey program. Commercial beekeepers support not only themselves but other families through the jobs they provide.

For these reasons, Mr. President, I strongly oppose the Brown amendment.

Mr. BUMPERS. Madam President, I would like to inquire of the Senator

from Colorado if he would be willing to vitiate the yeas and nays and let us accept the amendment?

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. I appreciate the request of the distinguished Senator, and I would gladly agree. I think it is saving time of the Senate. I understand the Senator will be considering this in conference.

Mr. BUMPERS. Madam President, I ask unanimous consent that the request for the yeas and nays be vitiated.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. BUMPERS. Madam President, I am prepared to yield back all of my time, and I think the Senator from Colorado has time remaining that will have to be yielded back, also.

Mr. BROWN. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Without objection, the amendment is agreed to.

So, the amendment (No. 638) was agreed to.

Mr. BUMPERS. Madam President, I move to reconsider the vote.

Mr. BROWN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUMPERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Madam President, I ask unanimous consent that I be permitted to proceed as if in morning business for not to exceed 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE WAR IN BOSNIA

Mr. BUMPERS. Madam President, I just want to remark on a subject that is totally different from this bill. It deals with the war in Bosnia.

Yesterday, I saw a headline I think in the weekend review section of the New York Times, suggesting that since President Clinton had bombed out on Bosnia, the people in Bosnia had given up on Clinton. I would like to make a couple of comments about what I consider to be the absolute unfairness of that statement. Whether people agree or not is a different subject.

But my point is this: There were six of us who went to Yugoslavia at the request of the President a little over a month ago, maybe 6 weeks ago. At that time President Clinton was suggesting two things: First, that the arms embar-

go against the Bosnians be lifted and, second, that air strikes be permitted under an amended U.N. resolution.

Bear in mind, to either lift the arms embargo against the Bosnians or participate in air strikes both would have required approval of the United Nations by amending the U.N. resolution dealing with Bosnia; and, in my opinion, the second one dealing with air strikes with the United States Air Force and Navy participating would have required approval of Congress.

But President Clinton was proposing both of those actions. When we got to Moscow, Secretary Christopher arrived the next day. We spent an hour with him, and he told us in the category of "now it can be told" that his mission on behalf of the President and trying to get the European nations to go along with the President's proposal was meeting with flat out rejection by the British, the French, and the Germans.

We found that in Moscow the Russians certainly have a tendency to be much more sympathetic to the Serbs, their Slavic brothers. Incidentally, we found in Moscow the Russians were a lot more concerned and wanted to talk a lot more about the nuclear missiles in the Ukraine than they did about the war in Bosnia.

As a matter of fact, Secretary Christopher got a considerably better concession from Boris Yeltsin than he did from Helmut Kohl, François Mitterrand, or John Major, or any of them.

All I am saying, Madam President, is it may be that the President has been kept from getting deeply involved in Bosnia because the vast majority of the people of this country do not want American troops participating in that war in any way.

But when people say that Clinton reneged or bombed out or somehow or other is responsible for what is going on in the slaughter, the merciless unbelievable slaughter in Sarajevo at this moment, to suggest that President Clinton is responsible for that is palatably patently grossly unfair.

You can disagree or agree with him about the policies there or whether we should have been more deeply involved, but I can tell you the six of us went to the White House and sat for 2 hours talking to him, and I have never seen anybody any more troubled by such an intractable problem as he was.

He desperately wanted to alleviate the plight of the people who were being slaughtered there, men, women, and children, and quite frankly I am not suggesting that if the Moslems had the upperhand the atrocities would be any less. But I can tell you they do not have the upperhand and they are being slaughtered.

We went to Zagreb in Croatia where the United Nations is headquartered, and they handed me a book which I started reading. It is a story of atrocities, mostly against Moslem men,

women, and children. And I got sick at my stomach and quit reading. It is a horrible, terrible thing.

My own belief though, in spite of all that, is our decision is probably still right, and I told the President. One fellow told me the other day: "You ought to quit talking about what you told the President. We are a lot more interested in what the President told you."

I told the President you cannot do any of these things unless you get the American people behind you. If you are going to have American men dying in Bosnia, you have to have the acquiescence, indeed the strong support of the people in America. That is what Desert Storm was all about. Everybody in America understood that.

If Bosnia had oil we would be there right now. They just do not happen to have any oil. All they have are poor men, women, and children being slaughtered.

I wanted to say those few words on behalf of the President because I think he genuinely wanted to do something that would at least keep the pressure on the Serbs and maybe stop some of the supply of arms coming out of Serbia to the Bosnian Serbs.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. BUMPERS. Madam President, having said that, we have just agreed to on a voice vote the amendment of the Senator from Colorado. But I see on the floor now a Senator who has a deep, abiding interest in the issue, Senator CONRAD from North Dakota.

I ask unanimous consent that he be permitted to proceed for 5 minutes in discussion of that amendment which has already been adopted because I know he feels very passionately about it.

The PRESIDING OFFICER. Without objection, the Senator from North Dakota is recognized for 5 minutes.

Mr. CONRAD. Madam President, I thank the chair and I thank the chairman of the Agricultural Appropriations Subcommittee.

First, I want to thank publicly the chairman and the ranking member for the really outstanding work that has been done in the Agricultural Appropriations subcommittee.

This has been a very difficult year, Madam President. Money is tight, demands are almost unlimited, agriculture has been hard pressed for an extended period of time, and yet the chairman and the ranking members have done, I think, a superb job of shoehorning these requests into the available funds.

I wish to comment for a moment on the amendment that was offered by the Senator from Colorado because the honey program has been the butt end

of many jokes, not only in this Chamber, but inside the beltway. People who know nothing about the honey program know very little about rural America, know very little about the markets, know very little about the structure of agriculture, are always quick to pick on agriculture and I guess it is understandable. We do not represent an awful lot of people. We are out there in the rural areas, far from the media centers, and so people often do not have much information about how these programs really operate, who they benefit or how they make a difference in the lives of people. Madam President, the honey program has really been the recipient of enormous attention and it is interesting because the honey program this year will cost \$17 million.

I did not misstate. I did not say it wrong. It is not \$17 billion, with a b. It is \$17 million with an m. That is the total cost of the honey program—\$17 million. And what do we get for that?

Madam President, I chaired a hearing at which we had expert after expert come and tell us if we did not have a honey program in this country we would have to invent one, because the value added by the pollination of domesticated bees is \$9 billion—billion with a b—a year. That is the advantage to this country because we have a honey industry.

We can destroy the honey industry in this country. It is no problem. We can do that.

I will tell you, there is country after country that is eager to have the honey industry that we enjoy in this country. In fact, we have the lowest tariff of any country on the honey industry in the world. Most countries protect their industry 20 to 30 times the rate at which we defend ours.

And what is the reason?

Madam President, they want the jobs. They want the economic activity. We in this country have been prosperous for so long that we do not worry much about a little industry like the honey industry. We especially do not worry about it if it is located in States like North Dakota and South Dakota.

Madam President, you know what has happened in your State, the great State of California, the most populous State in the Nation, that has been very hard pressed by difficult economic times. In fact, I have heard you speak eloquently, both on the floor of this Chamber as well as in private sessions, about what you are experiencing in California—the economic hard times, the need for jobs.

Madam President, I just say to you and say to our other colleagues that is true in the more rural parts of the country, as well.

The honey industry is a small one, but it makes a difference. It makes a difference in the lives of 125,000 beekeepers in this country. It makes a dif-

ference in a State like mine that is the third-largest producer of honey in this country.

Madam President, we have heard the complaints. We have heard those who say we should not spend one dime on a honey industry in this country. It would be interesting if those who advocate that position advocate the same position when it comes to industries that are critical to their States. We are going to have a chance to hear what they say when it comes to their industries.

Madam President, this honey program has been changed so that it will not cost one dime—no cost; not one penny. Those are the changes that we have made in order to meet the criticisms of those who have made a political industry, an industry, I guess, that spawns and helps political careers by attacking the honey industry. We have answered the criticisms and we said we will fashion and structure a program that will cost nothing. That is what is in place.

I say to the chairman and the ranking member of the committee, when you go to conference, I hope you will dump this amendment that was just adopted, because it is not necessary.

We have answered the criticisms, first, by cutting the program by 80 percent, and now by making it a totally no-cost program. What more do they want?

Madam President, I just want to summarize and conclude by saying the States which are the major honey States just happen to be some of the States that are most hard hit by the devastating floods and excess rains that we are now experiencing.

In the 5 States that are in the top 10 in honey production, we see massive flooding. We have already been hit by a blow by nature. The last thing we need is another blow by our colleagues here in Washington. That is the last thing we need.

We have 5 States of the top 10 honey-producing States that have been very hard hit: North Dakota, South Dakota, Minnesota, Wisconsin, and Nebraska.

Yes, they are rural States. Yes, there is not much population. And, yes, we do not have a lot of political clout here in Congress because of our reduced numbers. But we do have a need. We have a need for fair treatment. We have a need for jobs. We have a need for economic activity.

And so, Madam President, I urge the chairman and the ranking member, when you go to conference committee, I hope you will remember that we have agreed to a program here that does not cost anything—does not cost the taxpayers any money—and to resist further changes that would undermine and weaken an industry that, although small, makes a contribution to the economic health of rural parts of this country.

I thank the Chair and yield the floor.
Mr. BUMPERS addressed the Chair.
The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 635, AS MODIFIED

Mr. BUMPERS. Madam President, I send a modified manager's amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment number 635, as modified.

Mr. BUMPERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 13, line 24, strike "\$29,888,000" and insert: "\$32,788,000".

On page 15, line 8, strike "\$71,117,000" and insert: "\$72,917,000".

On page 17, line 8, strike "\$441,852,000" and insert: "\$443,652,000".

On page 20, line 3, strike "\$11,000,000" and insert: "\$11,187,000".

On page 46, line 17, strike "\$22,250,000" and insert: "\$70,000,000".

On page 53, between lines 14 and 15, insert:

"AGRICULTURAL RESOURCE CONSERVATION
DEMONSTRATION PROGRAM ACCOUNT"

"For loan guarantees authorized under sections 1465-1469 of Public Law 101-624, for the Agricultural Resource Conservation Demonstration Program, \$6,799,000 to any state defined as eligible under section 1465(c)(3)(A) of that Act. For the cost, as defined in section 502 of the Congressional Budget Act of 1974, \$3,599,000."

On page 72, line 11, strike "\$503,635,000" and insert: "\$490,184,000".

On page 72, line 13, strike "\$51,641,000" and insert: "\$50,261,000".

On page 73, line 9, strike "\$387,849,000" and insert: "\$377,490,000".

On page 88, line 1, strike "25,000" and insert: "100,000".

On page 88, line 3, before the period, insert: "Provided, That average per acre costs shall not exceed \$700".

On page 90, strike lines 3 through 9.

On page 7, line 6, strike "\$65,127,000" and insert: "\$64,872,000".

At the appropriate place, insert:

SEC. 731. SENSE OF THE SENATE REGARDING JAPANESE TRADE BARRIERS TO UNITED STATES GROWN APPLES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States apple industry has worked for 22 years to export apples to Japan, answering every technical question, and fulfilling every test and trapping program required by the Japanese Government.

(2) During negotiations with United States growers, the Japanese Government has repeatedly added new technical requirements or delayed discussions to resolve technical disputes.

(3) United States apple growers currently export to 24 countries, none of which have phytosanitary standards as stringent as Japan's standards.

(4) The administration has provided exemplary support on this issue, expressing its dissatisfaction with the Japanese phytosanitary requirements at every possible occasion.

(b) POLICY.—It is the policy of the United States Senate that the current Japanese phytosanitary requirements on United States apples constitute an unnecessary trade barrier and the United States Senate urges the administration to continue to work toward removing the barrier, including initiation of an investigation under section 301 of the Trade Act of 1974.

Mr. BUMPERS. Madam President, this is identical to the original one except there are three changes in this one which will take care of an amendment by Senator DOLE, one by Senator GORTON, and one by the distinguished Senator from Mississippi, Mr. COCHRAN.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. I thank the distinguished chairman of the subcommittee for agreeing to modify his amendment.

This modification would increase the Cooperative State Research Service appropriation to fund two additional special research projects—one for \$250,000 for value-added wheat product development at Kansas State University and one for \$200,000 for entomology acoustics research being undertaken at the Center for Physical Acoustics. The outlays from this additional funding would be offset through a \$255,000 reduction in the additional \$2 million above the President's request recommended in this bill for the USDA inspector general.

The amendment has also been modified to add sense-of-the-Senate language to the bill requested by Senator GORTON regarding Japanese trade barriers to United States-grown apples.

I urge adoption of the amendment, as modified.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 635), as modified, was agreed to.

Mr. BUMPERS. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MIDWEST PLANT BIOTECHNOLOGY CONSORTIUM

Mr. KOHL. The fiscal year 1994 Agriculture appropriations bill includes a CSRS special grant for the Midwest Plant Biotechnology Consortium, which has been recently renamed the Consortium for Plant Biotechnology Research. In the past this program has operated on a competitive basis. Biotechnology researchers from throughout the midwestern region have submitted projects and proposals, which have then gone through a peer review process and identified for funding. Although the Senate bill does not specify details as to the operation of this grant for fiscal year 1994, it is the intent of the Committee that the funding provided by this grant be administered in

the same competitive manner as it has in previous years. Would the chairman agree?

Mr. BUMPERS. Yes; it is the intent of the committee that the special grant for the Midwest Plant Biotechnology Consortium be managed competitively, as it has been in the past.

A BIOSCIENCE/ENGINEERING FEASIBILITY STUDY

Mr. DOLE. Madam President, I would like to thank the chairman and ranking member for the support they have shown these last several years for the construction of Throckmorton Hall at Kansas State University. This project will provide numerous benefits for agriculture.

Agriculture is an ever changing industry and it has recently been brought to my attention that efforts to keep up with the industry require the need for a bioscience/engineering complex at Kansas State. The agricultural interests at KSU have been integrated with, and facilitated by, other technologies and basic sciences throughout the university, providing enormous breadth to the programs through cooperative, cross-related programs. For example, biochemistry, biology, and chemistry are basic to the disciplines of agronomy, animal science, entomology and plant pathology.

I realize that since the full Appropriations Committee has acted on the Agriculture bill, it is not possible to add language to the report for a feasibility study of a new biosciences/engineering complex at Kansas State University. I would like to ask the chairman and ranking member of the Agriculture Appropriations Subcommittee to consider adding a feasibility study for this important project in conference. It is essential that we lay the ground work for a new biosciences/engineering complex in fiscal year 1994.

Mr. BUMPERS. Madam President, I will be pleased to consider adding a feasibility study for this project in Kansas. I also have a request for a feasibility study for a dairy expo center in Wisconsin. I hope this will be agreeable with the Senator from Mississippi.

Mr. COCHRAN. Yes, that would be agreeable. Every consideration will be given to adding language in conference requiring CSRS to undertake these feasibility studies.

Mr. BUMPERS. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged against the 1 hour on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The absence of a quorum has been suggested. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 648

(Purpose: To provide for the refinancing or repricing of loans made by the Federal Financing Bank and guaranteed by the Rural Electrification Administration)

Mr. DOMENICI. Madam President, I have an amendment that I have discussed with the chairman of the Agriculture Appropriations Subcommittee and with the ranking Republican. I am not yet certain whether the manager, the chairman is going to accept the amendment. But I certainly urge he let us accept this amendment by voice vote. I understand the ranking Republican is in accord with that.

Let me briefly tell you what this does. First of all, this does not apply to any one State or any single loan. It applies to any of them that fit the definition I will describe in a moment under the REA program. I will give an example from a powerplant in New Mexico.

In my home State, Plains Electric Generation and Transmission Cooperative is struggling with extremely high interest rates on its outstanding debt with the Federal Financing Bank. In the early 1980's, this co-op borrowed nearly \$400 million from the Federal Financing Bank to construct a new coal-fired electric generation facility to meet the demands under some of the most stringent regulatory requirements of the Clean Air Act.

Of this amount, \$269 million in loans was approved prior to 1982. Plains will be able to refinance this \$269 million over the next few years under its current loan contracts for a modest premium. If Plains was allowed to refinance just \$100 million of this amount, it would represent \$4 million in savings to rural New Mexico electric customers. Since the eighties, Plains has seen two things occur: First, interest rates have plummeted, dropping to as low as 6 percent recently. At the same time, the downturn in the uranium, coal, carbon dioxide, molybdenum, and copper industries in New Mexico has weakened. Thus, the demands for electric power has weakened.

New Mexico is generally rural, and as everyone understands, not one of the richest States, with very high electric rates. While the United States is at 6.9 percent unemployment, we have a county that is supplied electricity by this Plains Electric with an unemployment rate of 37 percent. Most of New Mexico's rural area and poorest is served by this cooperative powerplant.

In the midst of Navajo Indian country is McKinley County. Its unemployment rate is extremely high, as much as 43 percent. It, too, gets much of its electricity from this source.

So electricity is a key ingredient in economic growth, and the efforts we take to reduce electric rates in rural America will produce jobs and economic growth for our people. But essentially in this case, it is not really a question of lowering the rates, it is a

question of whether they are going to be able to raise rates high enough to take care of this very high interest rate.

So my amendment would require the refinancing of high cost debt held by the REA through 1982, loans made by the Federal Financing Bank and guaranteed by the REA administration, provided in the contract for their refinancing under certain circumstances. These pre-1982 loans provided that the borrower could refinance these loans after 12 years, for a prepayment premium equal to 1 year's interest. The administration does not see fit at this point to refinance these loans and I understand there is a backlog. There is currently a rather substantial backlog of this kind of loans.

Because the loan contract provides for the refinancing of these loans according to the Congressional Budget Office, there is no budgetary cost associated with this amendment. So my amendment, that I will send to the desk in a minute, says to insert at a certain place the following language, "Provided, that notwithstanding any other provision, the Secretary of the Treasury and Administrator shall, on the request of the borrower, allow the prepayment or repricing of a loan made by the Federal Financing Bank and guaranteed by the Administrator, in accordance with the terms of the applicable loan contract."

Madam President, I hope the distinguished Senator from Arkansas will accept this amendment. I think it is clear it is going to help many rural customers, not only in my State but wherever they have very high interest rates and have an agreement saying they can refinance with a payment of 1 year's worth of interest, which they are willing to do. This may, indeed, permit them to continue to serve without dramatically increasing rates. And, as the Congressional Budget Office confirms, it has no budgetary impact with reference to how we account for the REA's activities or the refinancing of such loans.

I have nothing further on the subject. I will be pleased to answer any questions anyone has, whether it be the chairman or anyone else.

Will the manager be asking CBO, so I may leave and come back when he needs me here?

Mr. BUMPERS. So the Senator from New Mexico will understand what we are contemplating here, I think the amendment is a good amendment. My only objection to it is that his amendment only applies to REA contracts that were made prior to 1983.

Mr. DOMENICI. Prior to 1982.

Mr. BUMPERS. I would like to see it apply to all contracts. But I am not sure what the CBO effect of that is and that is what we are checking now.

Having said that, I also want to say if CBO says this scores—the Senator's

does not, as I understand it. There is no budget impact of his amendment.

Mr. DOMENICI. Right.

Mr. BUMPERS. If CBO says ours scores somewhere, we have a second-degree amendment which will do the same thing without scoring. But, generally, we are in agreement on the thrust of what we are trying to do.

Mr. DOMENICI. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes an amendment numbered 648.

Mr. DOMENICI. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 59, at the end of line 13, insert the following: "Provided, That notwithstanding any other provision of law, the Secretary of the Treasury and the Administrator shall, on the request of the borrower, allow the prepayment or repricing of a loan made by the Federal Financing Bank and guaranteed by the Administrator in accordance with the terms of the applicable loan contract"

Mr. HATCH. Madam President, I ask unanimous consent that the pending amendment be set aside so that I may give a speech as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah is recognized for 10 minutes.

STRIKE VIOLENCE

Mr. HATCH. Madam President, I rise to notify Members of the Senate that Eddie York died last week.

Who is Eddie York?

Eddie York was 35 years old. He was from Dingess, WV. Killed by a single shot to the back of his head, Eddie York is the latest victim of strike violence.

Madam President, the United Mine Workers of America have been on strike for almost 3 months against the members of the Bituminous Coal Operators Association [BCOA]. Today, some 16,000 miners are on strike and are affecting operators who produce approximately 15 percent of the coal mined in the United States.

Eddie York is the latest example of how violence is often threatened and executed as a negotiating tool by some unions.

In the past, UMWA strikes have been dominated by shootings, arson, property destruction, and the intimidation of employees.

As a result of the union's tactics in its strike against Pittston, the union was fined \$52 million by a State court in Virginia for contempt.

This year, the strike has again been dominated by shootings, arson, and

vandalism. Strikers have derailed trains, shot electrical transformers, and burned vehicles and property. They have damaged or destroyed millions of dollars worth of property. They have physically attacked company personnel. The lives of the spouses and children of supervisors and other employees have been endangered.

One community lost its entire electrical service when someone disabled the power station that provided service to the Old Ben mine in Indiana; 2,000 people were without electricity, including 8 people who are on life support systems. Fortunately, the Red Cross and the local sheriff's department were able to provide temporary relief and shelter for these people, but it will cost more than \$500,000 to fix the damage.

This latest tragedy is all the more senseless because Eddie York, a backhoe operator, did not even work for the mining company. He worked for an independent contractor, and he was cleaning a reclamation pond on the property, which he had done for years. This was not work performed by the union.

He was shot and killed in Logan County, WV, as he attempted to leave the mine. I understand that it is extremely dangerous to enter or exit most of the mines that are being struck. This mine was no exemption. People have to be escorted on and off the property, and most individuals will only drive in convoys for safety.

Two security vehicles escorted Mr. York and another person off the property. After the vehicles left the property and were driving on a public road, strikers began hurling rocks. Shots were fired from a wooded area; several shots hit other vehicles in the convoy. Eddie York's truck was hit at least three times according to the police. It was the third that appeared to be the fatal bullet.

Madam President, there is no possible justification for such a crime.

As one of the few Members of this body who has belonged to a union, I firmly believe in the right of employees to organize, to join a union, and to exercise their right to strike.

But, a union should not be permitted to wage a campaign of terror during a strike. A labor dispute should not be an excuse for violence. The right to strike is not a right to vandalize, harass, or commit murder.

Unfortunately, labor violence continues to occur.

On July 1, 1993, several companies petitioned the National Labor Relations Board to enjoin the UMW from continuing to break the law by engaging in violence and other prohibited acts. Unfortunately, the NLRB has now taken three weeks to consider this request and may take many more. If the problem is as serious as many feel, then the Board should act immediately. If there is no truth to the peti-

tioner's request, then the union has a right to have the petition rejected just as quickly. It is troubling to me that the NLRB drags its feet on this question. How much more time do they need? How much more time before someone else is killed?

For years, I have attempted to persuade this body to take the violence being committed during labor disputes more seriously. Unfortunately, my efforts have not been successful. Some have attempted to trivialize this issue, claiming that reports of violence are greatly exaggerated. Others have suggested that violence is simply part of the process, providing a kind of "boys will be boys" justification for this egregious behavior. These arguments are ridiculous.

Eddie York was not the first person to have died as a result of union violence. He was not the first person to have had rocks thrown at his car. He was not the first person to have been assaulted or to have had his family threatened. There are countless other American workers in other States who have been victims of these reprehensible union tactics whose names have never appeared in the newspaper.

Those of us in Congress must simply begin taking strike violence more seriously. We cannot justify it or sweep it under the rug.

Consequently, before this body considers new legislation to provide even greater powers to unions during a labor dispute, I urge that they take a careful look at the adequacy of current law to stop union violence. I hope Senators will remember Eddie York.

I have to say that this is serious stuff. I do not believe that union leaders want violence. I do not believe they can condone or justify the violence like what happened to Eddie York. I do not believe that good union leaders appreciate that type of conduct, but it is happening, and it is happening during what many feel is a legitimate strike. There are differences. People do have to fight it out from time to time, but there is no excuse for killing an innocent third party, like Eddie York. I, frankly, think we have to do something about it.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MURRAY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRYAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. BUMPERS. Will the Senator yield for a moment?

Mr. BRYAN. Yes, I will yield.

Mr. BUMPERS. Madam President, I ask unanimous consent that the Domenici amendment be temporarily laid aside so we can take up the first of two amendments by the Senator from Nevada; and that immediately upon the completion of both amendments, the Domenici amendment will again become the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 649

(Purpose: To provide that none of the funds appropriated or otherwise made available by this act shall be used to support the price of wool or mohair by means of loans, purchases, payments, or other operations)

Mr. BRYAN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN], for himself, Mr. KERRY, and Mr. REID, proposes an amendment numbered 649.

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to support the price of wool or mohair by means of loans, purchases, payments, or other operations.

Mr. BRYAN. Madam President, I would like the Chair to notify me when 10 of my 15 minutes has expired.

Madam President, the movie theaters in America this summer are playing to a record turnout for a movie about dinosaurs, "Jurassic Park." But the movie theaters in America are not the only place in which a number of dinosaurs are wandering around. The Federal budget is filled with them, and the amendment I offer this afternoon deals with a program that is nearly as old as the dinosaurs.

I am referring to the wool and mohair subsidy program. It is a program that has its origin back in 1954, when the determination was made, for national strategic purposes, that wool needed to be added to the strategic reserve so that the men and women of America's fighting forces would have adequate reserves for military uniforms. But many, many years ago, that was taken off the strategic reserve and, like all too many Federal programs, it continues to have been institutionalized and a part of the budget process.

The wool and mohair subsidy program hits consumers in two ways: First, the tariff that is a part of the program causes the American consumers to pay more money for wool and related products that otherwise would be paid and, second, the American taxpayers are called to subsidize those who are involved in the production of wool and mohair.

This year's budget would include an outlay for \$190 million—\$190 million. About 1 percent of those who are receiving benefits under this program receive about 54 percent of all of the

moneys expended. In the last year, payments under the program were authorized at \$150,000 for wool and \$150,000 for mohair. So an individual farmer could receive as much as \$300,000 in any fiscal year.

That is simply outrageous. At the same time we are dealing with a national budget debt that is approaching \$4.3 trillion, many of my colleagues come to the floor periodically to decry the mounting level of that budget indebtedness. But when it comes to cutting programs, the American taxpayer is always on the short end of that. Sheep are not the only ones being sheared by this program. The American taxpayer is, as well.

The thrust of this amendment is to simply say that in this coming fiscal year, \$190 million will be eliminated from this program and that money will inure to the Federal taxpayer and will help to ease this budget deficit.

When President Clinton sent his budget to Capitol Hill, he proposed to limit payments on wool and mohair to \$50,000. This proposal would have saved the taxpayers nearly \$270 million over 5 years. In the reconciliation bill, the Senate Agriculture Committee revised the President's proposal to reduce the payment limitation for wool and mohair producers from \$125,000 in 1994, to \$100,000 in 1995, to \$75,000 in 1996, and to \$50,000 in 1997.

This is not enough. The 1993 payment limitation is currently \$150,000 each for both wool production and mohair production to a maximum of \$300,000 per producer. In 1991, less than 1 percent of producers received 54 percent of the payments. Producers on average receive from the Federal Government almost 210 percent of the market value of their production. Over the years, the cost of this program has continued to rise. According to a report in the New York Times in February 1993, "market prices have collapsed, partly because mohair went out of fashion in the 1980's *** Yet the Agriculture department continues to guarantee mohair producers a fixed price based on a complex formula of average farm costs in recent years and in the late 1950's. The formula, which is unique in American agriculture, locks in profits by virtually insuring that prices rise as fast as costs." Earlier this year, I cosponsored a bill introduced by Senator FEINGOLD to eliminate the price support program for wool and mohair.

Although this amendment would not accomplish the purpose of repealing the program, it would cease funding it in fiscal year 1994. This would reduce Federal spending an additional \$190 million. This program has outlived its usefulness, and should be abolished.

The wool and mohair program is outdated. Supplements for the market price are no longer needed, and domestic production continues to be protected by the imposition of a tariff on

foreign wool. Supporters of the program state that the program makes money, that the tariff on foreign wool raises money for the Treasury. However, according to a GAO report, most import tariffs were imposed by the Tariff Act of 1930, some 24 years before the wool program was established under the National Wool Act of 1954. An official of the International Trade Commission stated that even though the wool import tariffs are currently linked through legislation to the wool program, they were not initially established to fund the program. Therefore, without new legislation, the collection of the tariffs would continue regardless of the outcome of the wool program.

Mr. COCHRAN. Madam President, under the agreement, I am authorized by the chairman of the subcommittee to yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, this amendment is targeted to the program in the 1990 farm bill which supports wool producers in the United States. It is commonly referred to as the Wool Act, the original legislation that created this program.

One thing that needs to be remembered is that this program does not cost taxpayers, because the money that supports the program is derived from tariffs on imported wool. So the Federal Treasury does not actually support this program as a direct outlay. Funds come into the program through the tariffs. About \$400 million a year goes into the Treasury, which is then used to support domestic wool and wool producers.

A portion of the funds distributed to the U.S. industry are allocated when prices are especially low because of overproduction or saturation of the market. But only \$1 out of every \$3 have been paid to producers—\$2 of \$3 go to the Treasury to support other programs. And so the tariffs from the imported wool exceed the amount needed to support this program.

The loss of the Wool Act and its provisions would destroy the stability of the domestic industry, and many of those who depend on the stability provided under this legislation would suffer some severe economic consequences.

It is estimated the domestic industry contributes more than \$2 billion a year to the gross national product through farm and wholesale products. More than \$7 billion a year is generated through the retail marketing of domestic products. So this industry is important to the U.S. economy. It is important to the farm economy in those States where there are wool producers still in business. I hope the Senate will look carefully at this amendment and try to balance our interest in maintaining strict control over spending

with the realities of the economic marketplace and the domestic agriculture industries that might be affected by some of these amendments.

This program is fully supported by its own tariff fund, and I hope that the Senate will carefully consider the arguments that are available against the adoption of the amendment.

Mr. BRYAN. Madam President, let me respond to the distinguished senior Senator from Mississippi.

It is true that a tariff funds this program. What the senior Senator did not make clear is that the tariff that funds this program predates the establishment of the wool subsidy in 1954. So the tariff was not created to fund the subsidy, but the tariff is used to take advantage of that—or, rather, the funding is now taken from that tariff.

My point is that the tariff was in place long before the wool and mohair subsidy, and prior to the wool and mohair subsidy all of the tariff proceeds inured to the benefit of the Federal Treasury.

The proposal that I advance would permit that to continue to occur as it did prior to 1954 and the money collected from the tariff would be returned to the Federal Treasury. So it is not accurate to say that this program does not cost us anything. It costs us \$190 million; and but for the wool and mohair subsidy program, that \$190 million would help to go a long way toward offsetting some of the deficits that we experience in this budget process.

I know nobody likes to give up a program that has been established, and I share with my colleagues that there are Nevada ranchers who receive this subsidy. They are not happy with the measure which I offer. But if we are ever to get a handle on the deficit, if we are asking the American taxpayer to step up to the window and pay more in terms of taxes, I think it is incumbent upon the Congress to critically review these programs.

There is no justification for this program. Producers on average receive from the Federal Government almost 210 percent of the market value of their production, and, according to a report in the New York Times in February of this year, market prices have collapsed in the mohair industry partly because mohair went out of fashion in the 1980's. Yet the Agriculture Department continues to guarantee mohair producers based upon a very convoluted formula that dates back to the 1950's.

I reserve the remainder of my time and yield the floor.

Mr. COCHRAN. Madam President, I yield myself such time as I may consume under the previous authority granted by the chairman of the subcommittee.

Madam President, one final note on this amendment. Like the amendment offered by my friend and colleague

from Colorado, it deals with a legislative matter. It is not strictly an appropriations subject that the Senator from Nevada raises at this point. It has legislative authority to make payments under the Wool Act, which is incorporated in the 1990 farm bill.

The reason I raise that issue is that we do not have jurisdiction in our Appropriations Committee to provide the kind of legislative language that is suggested by this amendment. That is the responsibility of the legislative committees, the Agriculture Committee of the House and the Agriculture Committee of the Senate.

At this time, those committees are involved in a discussion under the reconciliation process on how to save money in the way this program is constructed.

Let me cite a specific example. The Senate Agriculture Committee approved a provision under its reconciliation responsibility that would save \$88 million in this program between fiscal year 1994 and fiscal year 1998. Over that period of time, by freezing support prices at the 1993 level, reducing the payment limitation from \$125,000 to \$50,000 per individual under this law, mandating a change in the formula for calculating the payment and eliminating a marketing assessment, the Senate committee would make changes in the law that would result in \$88 million in savings. On the other hand, the House committee has suggested changes that would save some \$47 million in this wool program.

What I am suggesting is that it would be more appropriate for the Senate at this point on this bill to refrain from preempting the ongoing discussions in the reconciliation conference. The Senator is, of course, motivated by the same forces we all are right now; that is to do something about the deficit, to cut back spending, and to streamline programs and eliminate waste at the Federal level. That is our job in the reconciliation conference.

I applaud the Senator for bringing this issue to the attention of the Senate but suggest that it may be appropriate for the legislative committees to work their will in the reconciliation conference rather than asking the Senate to do so. The Senate has not had the opportunity to review the details of the issue as those legislative committees members have and to act on the amendment in this way.

In conferring with the manager of the bill on the majority side, I do not know that we want to have a big, long, drawn-out battle over this amendment. We may do what we have done with the amendment relating to the honeybee program. We could take it to conference, discuss the options with the House conferees on the Appropriations Committee, and accept the amendment on a voice vote if that would be permitted.

I am suggesting that for the consideration of all Senators. If Senators have an objection to proceeding in that way, I hope they will come to the floor and express those objections.

Mr. BRYAN. Madam President, I thank the distinguished Senator from Mississippi for his comments and obviously, if we can work it that way and have it accepted by voice vote or otherwise, I would be amenable to that course of action.

I just would like to make the record clear in the context of this discussion that we are having, that the reauthorization for the agriculture bill does not come up until 1995. So that is some years distant. As I know my colleague and the distinguished Presiding Officer will recall, in the debate on the reconciliation bill this Senator offered an amendment to deal with the wool and mohair subsidy. We had 52 votes in support of the elimination of the program. A point of order was raised, and we were advised by the Parliamentarian that it would require a supermajority, namely 60 votes. So therefore we fell eight votes short of that.

The amendment before us this afternoon, as my colleague from Mississippi knows, does not eliminate the program. We cannot do that as the Senator suggests on an appropriations bill. What it does, however, is this year eliminates funding for the program which would result in a savings of \$190 million in this year, projected over a 5-year period of time. If we were successful in each of the outyears thereafter, it would save the American taxpayers \$1 billion.

I think that is something worth doing. I hope my colleagues will, tomorrow, give careful consideration and support to this amendment and that we can prevail in conference.

I thank the distinguished Senator from Mississippi for his consideration.

I yield the floor. If he does not desire to further engage us in debate or discussion, I am prepared to yield back the remainder of my time.

Mr. COCHRAN. Madam President, seeing no other Senator seeking recognition on this, we are prepared to yield back. How much time remains, as a matter of curiosity?

The PRESIDING OFFICER. The Senator from Nevada has 28 minutes and 20 seconds; the Senator from Mississippi has 7 minutes and 15 seconds.

Mr. COCHRAN. Madam President, I will reserve the remainder of my time and check to see if other Senators desire to be heard on the amendment.

Mr. BRYAN. Let me reserve the remainder of my time also.

Mr. COCHRAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Madam President, the taxpayers know, and so do we, that there is still a great deal of room to cut the budget without gravely harming our ability to meet pressing national needs—even after the \$329 billion in cuts proposed by the President. There are programs that reflect economic priorities of the past, programs designed to protect the United States against cold war dangers, programs that were initiated only to satisfy powerful political constituencies, and many other programs that persist despite the fact that they benefit the few at the expense of the many.

That is the reality, and when we deny it we succeed only in making people cynical about their elected officials. We in Congress should not propose raising taxes or hurting those who need our help before we have cut all the expenditures that are unnecessary or wasteful.

The wool and mohair subsidy is an outdated program set up during the cold war and never eliminated despite the fact that it has outlived its original purpose. This program was designed to encourage increased production of wool, which was considered a strategic material in 1954 for uniform and blanket production. Wool is no longer a strategic material and, in fact, mohair is now needed for nothing other than the braids on uniforms.

Not only does the wool and mohair subsidy transfer taxpayer money to a group of ranchers for a purpose which is no longer considered strategic to the Nation's defense, but, according to a 1990 GAO report, the wool and mohair program does not even succeed in encouraging production of wool or in improving its quality.

Our political system is structured to prevent quick responses because the Founding Fathers did not want swings in policy. However, given climbing deficits and strangling interest rates, we must learn to respond to changing circumstances. We cannot afford to pay for old priorities when we have so many current priorities and so little money to fund them.

President Clinton is the first President in over a decade to truly demonstrate leadership by proposing to cut back some of these programs. As a result, his economic plan would cut the deficit in half as a percent of GDP by 1997. But the cuts he includes in his plan have been subject to endless attacks from the special interests, who propose that someone else's program be cut before theirs. Even in Congress, where members of both parties have chided the President for not cutting enough, many of the cuts he originally proposed were whittled away by Members protecting their parochial interests.

In light of the \$300 billion annual Federal deficit and \$4 trillion national

debt, we can no longer be swayed by special interest pleading. At a time when we are asking middle-income Americans to pay more in taxes, we must face the tough choices. In fact, we should go even further than the President has suggested. This is a unique opportunity, while the Nation is focused on deficit reduction and crying out for change in how the Federal Government conducts its business. If we take a bold step now, we can restore some integrity to the Federal Government and its budget process.

Obviously, we cannot ask others to make sacrifices and refuse to make them ourselves. I introduced a bill that would make cuts in a variety of programs including many of importance to Massachusetts. Senator BRYAN introduced this amendment although there are wool producers in his State. The madness must end and to end it, we must each be willing to vote to eliminate programs that are not in the national interest.

I hope that this amendment, which would eliminate an outdated, wasteful program, will illustrate that there is much more that can be done to cut the deficit if we are willing to make choices and that, in addition, it will allow us to begin the process of making those choices.

Mrs. HUTCHISON. Mr. President, earlier today the Senate accepted an amendment to the Agriculture appropriations bill, without a recorded vote, which would eliminate the wool and mohair support program.

The elimination of the wool and mohair program would be bad news for American ranchers and for American taxpayers. Since its inception, the wool and mohair program has contributed over \$4 billion to the U.S. Treasury. The elimination of this program would worsen our trade deficit and dry up a source of revenue for the U.S. Government.

Today's Senate action on this important agricultural program is shortsighted and unnecessary. The wool and mohair program does not cost American taxpayers a dime. It is funded through tariffs on foreign imported wool. Only one-third of the revenues raised from this program go to assist ranchers and payment caps ensure that they cannot get rich on this program.

Mr. President, the old adage "if it ain't broken don't fix it," applies to the wool and mohair program. We must reduce Federal spending and take on our massive Federal budget deficit. The elimination of the wool and mohair program, however, does not reduce Federal spending and will not lower the deficit.

The wool and mohair program generates revenue for the U.S. Treasury, it helps American ranchers, and it guards against foreign dumping of wool products. I urge my colleagues to reverse today's action and retain the wool and mohair program.

Mr. DASCHLE. Mr. President, the sheep industry contributes about \$2 billion to the GNP, with wool and mohair sales alone contributing approximately \$83 million to our rural economy in 1992, and 350,000 jobs to America. Farm programs, including the National Wool Act, are important to American consumers by ensuring a low-cost stable supply of food and fiber. Unilaterally eliminating farm programs would drive up consumer prices significantly, to the disadvantage of all Americans, and would devastate rural America as well.

The Wool Act is not an out-dated program left over from World War II efforts to provide wool products for the troops. The primary objective of the amended National Wool Act of 1954 is to encourage the production of wool and mohair at prices that allow producers to remain competitive and keep consumer prices fair. It is difficult for producers in my State to understand the continuous attack on the Wool Act when it is a self-funded program, one under which wool and mohair producers are paid for their production, rather than being paid not to produce.

Without the Wool Act, farmers and ranchers would experience lower incomes, domestic supplies of wool would decrease, and raw wool and mohair prices would increase, thereby further increasing costs to our struggling domestic textile industry.

A healthy sheep industry is vital to the economic security of our Nation. Eliminating funding of the wool and mohair program does not save the taxpayer any tax dollars, but rather increases the Treasury's tariff revenues. It is highly doubtful that any tariff revenue increase created by killing this program will ever offset tax dollars lost from the further decline of our already struggling wool and mohair industry.

For these reasons, Mr. President, I strongly oppose the Bryan amendment.

Mr. COCHRAN. Madam President, we are prepared to move forward, accept the amendment in absence of any further discussion or request for time for debate, take the issue to conference and see if we can work out an appropriate provision in conference with our House counterparts on the Appropriations Committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment (No. 649) was agreed to.

Mr. COCHRAN. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BRYAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Madam President, we are proceeding under a unanimous-consent agreement as provided for amendments that are listed to be offered. We

have dealt with a number of amendments. The chairman of the committee has urged Senators who have amendments under the agreement to come to the floor and offer the amendments. We will be happy to debate them and consider them with dispatch. We hope Senators will take advantage of this opportunity rather than waiting until the last of the hours of the afternoon before offering their amendments.

Madam President, I share with my colleague from Mississippi about 2 minutes. I intend to accept his offer and will offer another amendment.

In the meantime, if no one seeks recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BRYAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 662

(Purpose: To reduce the amount of funds and commodities that may be used to carry out the market promotion program)

Mr. BRYAN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN], for himself, Mr. KERRY, and Mr. REID, proposes an amendment numbered 662.

On page 87, line 23, strike "\$75,000,000" and insert "\$00,000,000".

Mr. COCHRAN. I ask unanimous consent that the pending Domenici amendment be temporarily set aside for the purpose of considering the amendment of the Senator from Nevada.

The PRESIDING OFFICER. Under the previous order, that has already been ordered.

Mr. BRYAN. Madam President, the Market Promotion Program [MPP] was created to encourage the development, maintenance, and expansion of exports of U.S. agricultural products. MPP is the successor to the Targeted Export Assistance Program, which was established in 1986. TEA was created in 1985 to "counter or offset the adverse effect of subsidies, import quotas, or other unfair trade practices of foreign competitors on U.S. agriculture exports." Since 1986, over \$1.25 billion has been spent for TEA and MPP.

MPP is operated through about 64 organizations that either run market promotion programs themselves or pass the funds along to companies to spend on their own market promotion efforts. About 60 percent of all program activities involve generic promotions, 40 percent involves branded promotions.

GAO has pointed out that the entire Federal Government spends about \$2.7

billion annually on export promotion. While agricultural products account for only 10 percent of total U.S. exports, the Department of Agriculture spends about \$2 billion, or 75 percent of the total. Department of Commerce spends \$195 million annually on trade promotion.

In 1992, Foreign Agriculture Service asked organizations to provide information on the domestic and foreign ownership of commercial firms funded under the MPP. Some \$78 million—\$84.6 million in 1992 dollars—of MPP funds went to foreign-based firms for fiscal years 1986-92. This amount represented nearly 20 percent of the total funds allocated for brand-name promotions during the 7-year period.

While the goal of MPP is to benefit U.S. farmers, the program can also benefit other enterprises. By funding foreign firms, GAO believes that MPP can make it more difficult for U.S. firms to compete and obtain a foothold in foreign markets. The funding of foreign companies may produce short-term gains in the exporting of U.S. agricultural commodities, but those gains may come at the expense of U.S. firms trying to compete in those markets.

Many problems exist with the MPP Program.

(1) ADDITIONALITY

There is no proof that MPP funds are not simply replacing funds that would have been spent anyway on advertising. Foreign Agriculture Service does not require commercial firms to demonstrate that MPP funds will be used to increase prior promotional activity. The lack of such a requirement affords commercial firms the opportunity to substitute MPP funds for promotional expenditures they would have otherwise undertaken with their own funds.

Example: A firm with 14 years of export experience requested MPP funds for a total of 31 markets. In 8 of the markets, the firm had at least 10 years of promotional experience with the brand name produce prior to participation in MPP.

Example: Ursula Hotchner, an official from Newman's Own, Paul Newman's food company was asked why the company was selected to receive TEA funding. "I don't know," she said. "Someone from the export council called me up one day from out of the blue and asked why don't we take the money. They said all we had to do was send in our advertising bills and they'd reimburse us. I figured, why not?"

(2) GRADUATION

MPP regulations do not include criteria as to when funding for specific programs may be phased out. Government funding may be of particular importance in some situations, but not in others. For example, assistance may be needed to overcome particularly burdensome barriers. However, once these barriers are overcome and the market

is developed, Federal funding may no longer be justified. 136 firms have participated in the program for 5-7 years and have received the bulk of the brand-name funds.

This should not be a corporate entitlement program—once a barrier in a foreign nation to marketing a U.S. product has been bridged, there is no decision to sunset a particular company.

Example: Since 1986, the California Raisin Advisory Board has spent \$47.4 million nationwide for market development, of that—\$9.4 million was spent specifically for development in Japan. However, 80 percent of raisin imports in Japan are from the United States.

(3) EVALUATION

GAO states that taxpayers do not have reasonable assurances that the considerable public funds expended on export promotion are being effectively used to emphasize sectors and programs with the highest potential returns. MPP supporters use examples of increased exports. However, even if a brand-name promotion effort results in identifiable increases in exports, unless FAS can convincingly demonstrate that the promotion effort would not have been undertaken without MPP assistance, those increases in exports cannot be attributed to the program.

The Foreign Agriculture Service has completed only 12 program evaluations since the program began in 1986 while program participants have totaled 100. 26 participants had received more than \$10 million and only 9 had been evaluated.

An example of an internal control weakness recently surfaced—one program participant's contractor received fraudulent reimbursements amounting to over \$1,100,000.

(4) U.S. CONTENT

There is currently only limited information regarding the U.S. content and processing requirement for the MPP's branded products. In fiscal year 1992, practically all not-for-profit organizations stated that the brand-name products they funded had at least 50 percent U.S. content. Of the 59 MPP applicants, 37 said that the U.S. content was 100 percent, 7 stated that the U.S. content was at least 50 percent, 5 stated that the U.S. content ranged somewhere between 50 and 100 percent, and 1 stated that the U.S. content ranged from 14 to 100 percent.

In 1993, the Foreign Agriculture Service began to review the support for the certifications made regarding U.S. content during their audits of participants. Their work is limited to the not-for-profit organizations and do not as a rule audit the commercial entities performing brand-name promotions. Not-for-profit organizations relied on unverified statements regarding U.S. content. Also, Foreign Agriculture Service officials assumed the level of U.S. processing by the nature of the

product and the presence or absence of foreign brands in the program.

Madam President, this amendment seeks to eliminate funding for a program known as the Market Promotion Program. This is another one of those sacred cows that have been around for a long time. Its progenitor was known as the Targeted Export Assistance Program. And its ostensible purpose is to provide additional money for corporate advertising, to help to promote the export of agricultural products in this country for sales abroad.

I have no objection to its ostensible purpose. I do have an objection to the fact that the American taxpayers, over the years, have been required to pay literally hundreds of millions of dollars for activities which essentially belong to the private sector.

Some of the largest companies in the United States have received rather extraordinary amounts of money as a result of this program. Let me just cite a few. These are household names to most of us. There is McDonald's who received, under this program, over 6 years, 1986 to 1992, \$1.85 million; Tyson Foods, \$9.96 million; Borden's, \$354 million; ConAgra, \$560,000; Brown-Forman, \$1.26 million. It goes on and on.

Moreover, Madam President, to the astonishment, I am sure, of the American taxpayer, and perhaps to a number of our colleagues, not just American companies, but foreign companies have been entitled to receive these subsidy moneys as well. I have a list that is by no means exhaustive, but we are talking about the Finish honey producers; Toyoba, a Japanese company, in cotton; Sento, a Korean company, in cotton; Extra Co., a company that deals in rice; Rifle, another company that is a European company that deals in cotton. Essentially, over 100 firms, over the years, have received money in this program.

Here again, just as we were talking about with respect to the previous amendment, I think most of us recognize that this country faces a financial crisis, and that we have to cut spending. I must say that, tested by that standard, the Congress does not do particularly well. The Congress loves to spend money but finds it very difficult to eliminate money. This program, as recently as 1½ years ago, was funded at a level of \$200 million a year. Over a 5-year period of time—and that is the window we are talking about in the context of our budget debates—you are talking about \$1 billion.

Admittedly, the funding level has decreased. I tried last year to get this program eliminated, and I was unsuccessful. This amendment seeks to eliminate its funding for this year. The funding level this year is \$147 million and is proposed in the next fiscal year—the Senate agriculture mark is \$75 million; the House agriculture mark is \$127 million.

The point is that this is a program that can no longer be defended. The American taxpayer ought not to be asked to pay for responsibilities which essentially ought to be undertaken by the private sector.

Madam President, an article appeared in the Sunday Washington Post, dated July 11, entitled "Exporting Prunes But Not Democracy," in which the distinguished columnist, Mr. Will—revered by a number of our conservative colleagues, and I think respected as an analytical thinker by all—more articulately than this Senator is doing, makes the case for the elimination of this program.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From The Washington Post, July 11, 1993]

EXPORTING PRUNES, BUT NOT DEMOCRACY

(By George F. Will)

These are salad days for those conservatives whose philosophy is confirmed by, and whose agenda is advanced by, bad behavior of government.

Recently, for example, the House of Representatives, home of the most entrenched portion of the political class, voted to continue spending taxpayers' dollars to subsidize, for large corporations and wealthy trade associations, the overseas marketing of fruit juice and candy bars, whiskey and prunes, and many other profitable commodities. And the House did this after voting to terminate a less expensive program that helps export democracy.

The Agriculture Department's Market Promotion Program, begun in 1985, will, like the honey subsidy and the wool subsidy and much else, live forever. But the political class is currently insisting that the budget "crisis" requires the taxpayers to turn over more money to the political class. So that class is grudgingly making cosmetic cuts in some particularly egregious programs.

So the House did trim the MPP from \$147 million to \$127 million. That is government "austerity": a 13.6 percent cut in a program that is 100 percent indefensible. The MPP's survival says much about the ersatz "crisis" currently being used to justify tax increases.

The MPP funds both generic and brand-name advertising abroad for American agricultural products. This is yet another example of the government's solicitousness on behalf of the strong. Of the 200 U.S. corporations with the largest advertising budgets, 13 last year got a total of \$9 million from the MPP, an average of \$700,000 each. But the advertising budgets of those corporations range from \$45 million to \$538 million, so the taxpayers' contributions can hardly be said to represent the difference between competitive success and failure.

Defenders of these welfare payments to corporations say: Other nations do it for their companies. (Translation: We have a duty to be as foolish as foreigners are.) And defenders rely on the *post hoc, ergo propter hoc* fallacy (the rooster crows and the sun rises, therefore the crowing causes the sunrise). That is, defenders argue—actually, they just assert—that any increase in the exports of any commodity that is the subject of subsidized advertising must be caused by that advertising. Never mind the effects of many other variables, such as the export as-

sisting fall in the value of the dollar since 1985.

Defenders of the MPP declare that it "creates" 38,000 American jobs. Amazing, is it not, the precision of the political class? It knows—simply knows—that without subsidized advertising (such as the \$394,000 recently given to the National Association of Animal Breeders to market bull semen), demand for American products would sag and drag down 38,000—not 27,000, not 43,000—jobs.

But let us assume that the \$450,000 given to the Campbell Soup Co. to entice Japanese, Koreans, Argentineans and Taiwanese to drink V-8 juice "worked." And that the \$6.2 million given to the Blue Diamond company stimulated foreign desires for American almonds. When making such assumptions, defenders of the subsidies face the unanswerable challenge that always confounds "industrial policy" and other forms of socialism: When defenders argue that the subsidy dollars are profitably invested, they must also argue that for some reason private investors would not make these remunerative investments. So, government is wiser than the private market? Please.

On June 29 the House voted to pour this \$127 million (with hundreds of millions more to come as the years roll by) into the private coffers of people who, thus subsidized, will have more resources freed up to use as campaign contributions. But seven days earlier, the House had a moment of parsimony. It did not just make a 13.6 percent nick in the National Endowment for Democracy, it voted to kill it. If the NED helped the export of prunes instead of democracy, it, too, could be immortal.

The NED helps democracy by means of small but life-giving grants for trade unions, student groups, publications, legal assistance for the persecuted, and other measures. It has a record of success in helping democracy put down roots in stony social soil. By voting to stop this cost-effective work, the House voted to save \$50 million, less than half what it is eager to spend on handouts to corporations through the MPP.

Those two votes illustrate what most congressmen most care about. What is the salient difference between the MPP and the NED? The former can, and the latter cannot, serve the dominant desire of most House members. That desire is to protect their incumbency by enlarging the ranks of grateful recipients of government money.

The political class, confronted with a rising tide of public contempt, comforts itself with condescension. The public, says the political class, just does not understand what we do. Actually, that class is fortunate that the public is too busy to read the Congressional Record. As understanding of contemporary government increases, so does disdain for it.

Mr. COCHRAN. Madam President, under the authority of the chairman of our subcommittee, I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, at the outset of today's consideration of this appropriations bill, both the chairman and I described the provisions of the bill. And during my remarks, I indicated there were two specific areas in this bill that gave me a great deal of concern. One was the market promotion program and its inadequacy of funding for those activities that have

been so important to increasing our share of foreign markets for U.S. agriculture producers and exporters.

I mentioned the Food and Drug Administration user-fee issue as the other very serious problem in this bill. Now the Senator from Nevada comes in with an amendment to delete all the money provided in this bill for the market promotion program. There is a \$75 million appropriation designated for this purpose.

The administration had requested \$147.7 million in its budget submission. The House committee has provided \$127.7 million in funds for this program. Our committee wrestled with the issue, and even though some of us wanted more, the committee finally settled on \$75 million as the amount that would be provided this year. Now the Senator from Nevada wants to zero the program out completely. I think that is a very serious suggestion, and the Senate should not agree to it.

I respect my friend from Nevada very sincerely, and I know that in the effort to reduce spending, every program should be scrutinized. Well, this program has been. Because of that scrutiny and efforts to modify the program and eliminate abuses, that program has been brought down over the last few years in funding from the \$200 million level, as he mentioned, to lower levels of funding.

But the fact is that this is an important effort to take up for U.S. business interests and U.S. farmers who are trying to compete in the international market. Keep in mind that they have to compete against Government subsidies and efforts to undermine our ability to compete fairly in foreign markets. That is what this program is designed to do, and it has worked. When we have been able to use it and target our funds to the specific grievances of our exporters—such as the manipulation of markets or subsidies that are targeted against U.S. interests—we have been successful. I wish we had more money for a program like this, but under the international trade rules, and under the constraints of our budget, we are limited. This is a limited and restrained effort to deal with a problem that is very real and strikes at the very heart of the health of the U.S. economy.

We have become a strong exporting country because of the new awareness of Government responsibility to take up for U.S. farmers and U.S. exporters in the international marketplace. For too long our Government said to them: You are on your own. If you have a problem out there, you have to deal with it.

Now we recognize that to use the resources of Government to protect and help ensure that American farmers and exporters are treated fairly, we are able to give our suppliers and our exporters a chance to compete.

We have proven that we can be efficient and competitive price suppliers of goods all over the world. There are many specific examples, Madam President, of this success story. Red meat exports were close to \$1 billion in 1986. The market promotion program provided some resources to enable the industry to target certain export markets where we were being shut out of the marketplace. And now the export of red meat values reached an all-time high of \$2.8 billion in 1992.

The same kind of experience has been realized in many other areas, from fruits to Alaskan seafood, where we have seen the salmon industry nearly double the volume of canned salmon exports to the United Kingdom over a 4-year period.

These are examples of success.

I hope the Senate will reject this amendment of the Senator from Nevada. It would destroy a very important program, and a very useful tool for U.S. interests that deal with unfair acts by foreign competitors or others who would deny U.S. access to markets overseas.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. I thank the Chair.

AMENDMENT NO. 662, AS MODIFIED

Mr. BRYAN. Madam President, I ask unanimous consent to modify the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN. Madam President, the amendment, as submitted, was incorrect in technical form. I can assure my colleagues that it does precisely what we indicated the purpose of the amendment was, and it is simply to strike the appropriation from this fiscal year. The original amendment that was submitted to the desk was improperly drafted.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment (No. 662), as modified, is as follows:

On page 87, line 21, place a period after "Act of 1978" and strike everything thereafter through line 23.

Mr. BRYAN. Madam President, I want to respond to some of the comments that the distinguished Senator from Mississippi made about the success of the program.

I have some difficulty with the American taxpayer subsidizing the advertising accounts of some of the corporate giants in America. I think that is, at best, a use of Federal tax dollars that is difficult to defend. This Senator cannot. But it would certainly be more defensible if one could establish that there was, in fact, a correlation between the dollars expended and the results that were desired.

I must say that, based upon a critical analysis done by the General Accounting Office, June 1993, entitled the "Effectiveness of Market Promotion Program," remains unclear.

Let me just cite, without going into any great length, some of the problems that this program has, even if one believed that the outlay of public tax dollars was justified for this program, as I do not.

The first problem is one that is referred to as "additionality." There is no indication, no means to quantify whether or not the dollars that are being added to these accounts, these advertising accounts, are being supplemented to existing dollars to whether they are simply being traded out; that is, the money that comes into the advertising program to the Federal tax dollars simply reduces the amount of money that the producer would ordinarily spend if there were no program. So you do not get any additional bounce if, indeed, that is true. It is simply replacing dollars that would otherwise be spent. There is no impact to be gained.

This report indicates that there is no way to quantify whether that, in fact, is true.

Another aspect that is additionally troublesome is the so-called graduation program. They do not indicate, currently, at what point is the program or the particular producer, manufacturer, however, you want might characterize the recipient, when do they graduate? Do they stay in the program forever? Is it something that is guaranteed in perpetuity? There is no criteria for phasing out, again, assuming that there might be some justification for it in the first instances.

A third is a valuation. That is, is the dollars that are being spent actually accomplishing what the advocates of the program are contending? Once again the GAO report makes the point that there is no ability to quantify and to establish the correlation between dollars expended and increased sales of American agricultural products.

So, I would respectfully submit that without such a correlation, you cannot justify the program even if you philosophically support it.

Finally, with respect to the U.S. content; that is, how much of the product must contain a U.S. product? Once again, this appears to be very poorly defined, and it is unclear, as a practical matter, how much American product may be in a particular product that is receiving the advertising subsidy.

I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, will the Senator yield to me such time as I need for responding?

Mr. BUMPERS. Madam President, I yield to the Senator whatever time he takes.

Mr. COCHRAN. Madam President, the Senator makes a point that the allocations of funds under this program have been inappropriately diverted to

large corporations that do not need the money or should not be given financial assistance to develop or expand overseas markets.

To answer that, I want to cite a letter that I received from the Acting Administrator of the Foreign Agricultural Service with regard to the allocations made for the 1993 year under this program.

I am going to just read a couple of things from that letter and then put the entire letter in the RECORD for the information of all Senators.

But he says in this letter to me:

In addition, we look forward to increased participation by small and medium-sized firms through the activities of the regional trade groups.

Then he says:

More than 375 companies (compared with 269 participants in 1992) have applied for participation in the 1993 branded programs through the regional trade groups. Nearly 80 percent of these companies have fewer than 500 employees.

Madam President, I ask unanimous consent that the entire letter to me be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FOREIGN AGRICULTURAL SERVICE,
Washington, DC, July 22, 1993.

Hon. THAD COCHRAN,
Ranking Minority Member, Subcommittee on Agriculture, Rural Development, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR COCHRAN: On December 18, 1992, the U.S. Department of Agriculture's Foreign Agricultural Service (FAS) announced allocations for the fiscal year 1993 Market Promotion Program (MPP). I am pleased to report that the allocations were announced 3 weeks earlier than the 1992 allocations.

The 1993 allocations total \$147.7 million (including \$1 million for evaluation), the maximum funding level authorized by Congress for this year. A list of the 66 commodity groups, industries, and regional trade organizations that received allocations is enclosed for your reference.

On this list are 13 first-time MPP participants. Among these new participants are the California Tomato Board, Catfish Institute, Mohair Council of America, National Dairy Promotion and Research Board, National Renderers Association, Northwest Wine Promotion Coalition, U.S. Dairy Genetic Council, and International Apple Institute.

In addition, we look forward to increased participation by small and medium-sized firms through the activities of the regional trade groups, such as the Eastern U.S. Agricultural Food Export Council, Mid-America International Agri-Trade Council, Southern United States Trade Association, and Western United States Agricultural Trade Association. More than 375 companies (compared with 269 participants in 1992) have applied for participation in the 1993 branded programs through the regional trade groups. Nearly 80 percent of these companies have fewer than 500 employees.

The 1993 MPP allocations announced by FAS in mid-December followed a thorough evaluation of 77 applications with funding requests totaling \$349 million. The 73 proposals

meeting the criteria and program requirements were then analyzed according to the administrative capability of the applicant, the strategic plan, program scope, anticipated program effectiveness, and the likelihood for future success in increasing U.S. agricultural exports.

Funding recommendations were further adjusted to match available funds based on the following factors: presence of an unfair trade practice; the applicant's contribution (cost-share); budget size in relation to export level and expected change in exports; market-share goals; prior year's export performance in relation to prior year's goals; percent of U.S.-origin content; and the degree of product processing in the United States. The last two factors were incorporated into the 1993 allocation process as a result of the guidance we received in the fiscal year 1993 Agriculture Appropriations Conference Report.

The barrage of criticism directed at the MPP has prompted us to look closely at the program to identify areas that need to be strengthened. The steps we have taken for the 1993 MPP allocations are evidence of our continuing commitment to improve the program and ensure that resources are used wisely and effectively to generate optimum returns to U.S. agriculture.

Sincerely,

STEPHEN L. CENSKY,
Acting Administrator.

Mr. COCHRAN. Madam President, let me say further in response to my friend's statements that the United States is not the world's largest exporting country today by accident. We have seen our exports grow in sharp contrast to previous years because of many factors such as increased productivity and a more aggressive approach toward opening foreign markets to our products. But with this market promotion program alone, U.S. exports in the agricultural sector have increased 36 percent since 1985, the year the targeted export assistance program was created. It was carried forward in the new legislation adopted in 1990.

This program works. It is cost effective. Exports mean jobs. This means greater health to our economy, generally.

According to the Department of Agriculture's estimates, each dollar in agriculture exports stimulates nearly \$1.60 in general economic activity. Nearly 80 percent of the funding in this program is targeted to value-added products. Those are the high-value products, which sustain large numbers of jobs in our economy. That is why this program has undergone reform. It is now improved, streamlined, and modestly funded. We hope the Senate will reject the amendment of the Senator from Nevada.

I am constrained to move to table the amendment when all time has been used or yielded back. I do not want to cut off other Senators in their efforts to discuss the issue.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, today I rise in strong support of the Market Promotion Program within the Foreign Agricultural Service and

against the Bryan amendment. The Market Promotion Program, and its predecessor, the Targeted Export Assistance Program were created to assist exporters in developing markets for U.S. agricultural products around the world. In my State, California, agriculture is often adversely affected by unfair foreign trade practices, and the Market Promotion Program has been a significant part of the effort to combat these activities.

Let me give you an example. California canned fruit exports have struggled to compete against subsidized Greek production. The California Cling Peach Advisory Board, as a beneficiary of the Market Promotion Program, has been able to increase the exports of canned cling peaches and fruit cocktail 75 percent and 47 percent, respectively, since 1985. With another successful implementation of a market development program in the middle of 1991, total product movement to Mexico alone has almost doubled from 58,000 cases to 113,000 cases.

Another success story for the Market Promotion Program in helping to combat unfair trade practices in the wine industry. In 1992, the European Community subsidized its wine sector in the amount of \$2.5 billion, of which \$84 million went directly toward price subsidies. In 1985, export sales for U.S. wine were \$27 million. With the assistance of market promotion funds, export sales of U.S. wines grew to \$174.7 million in 1992, even in the face of this level of subsidized competition.

There are many more success stories that could be told in my State alone. The point is that for many industries to continue to thrive, they must build and expand their exports, and the Market Promotion Program has proven to be a vital part of the ability to compete in the world market. Industries that compete successfully in world markets are also the industries that will be able to continue to create jobs.

It is important to understand that the Market Promotion Program is not a hand out. The industries that participate in this program must first spend their own funds for export development, before receiving up to 50 percent of certain promotional costs once their performance and expenditures have been documented.

During the subcommittee markup of this bill, there were concerns expressed over large corporations such as McDonalds receiving Market Promotion Program funds. Standards need to be evolved that state with specificity the uses to which Market Promotion Program funds can be put, and which prevent the impression or perception the Market Promotion Program provides opportunities for large companies to use these funds for frivolous pursuits.

This important program has already been cut significantly. The President's request for the Market Promotion Pro-

gram was \$148 million. The other body took \$20 million away from that. The Agriculture Subcommittee has recommended \$75 million.

To eliminate would cause great disruption to many companies trying to increase their exports. Building an overseas market takes time. Eliminating the program now would severely restrict current program participants since funds counted on for long-term marketing plans will no longer be available. Potential exporters will be put off from committing up-front expenses and long-term funds to seek overseas markets if market promotion funding is eliminated. The best reason not to eliminate the Market Promotion Program is that it works. It is a cost-effective program that increases exports, decreases the trade deficit, provides jobs, and returns money to the U.S. Treasury.

The Market Promotion Program is a true partnership of Government and business that provides incentive and motivation to compete against the industry and Government partnerships in the competitive world markets. I urge the defeat of the Bryan amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Madam President, may I inquire of the floor managers: In the motion to table that is about to be made, does the unanimous consent agreement provide that a rollover will occur? If it does not, I would request the yeas and nays at that time.

Mr. COCHRAN. The Senator has assurance that we will attempt to help him get the yeas and nays on the motion to table.

Mr. BRYAN. I appreciate that. I assure colleagues I will not unduly prolong this debate.

I want to make the point, in response to the observation of the Senator from Mississippi, about who gets the money for these programs. That is part of the problem. There really are not any guidelines in the program as to the size of the company that will receive these market promotion moneys. For that reason, large corporations such as McDonald, Sun Maid, Welch's and Pillsbury can receive very large sums of money. In 1992, the average amount awarded to the top 50 firms was \$1 million. Eight of those firms had sales of over \$1 billion.

Those companies include, as I have just said, Welch's, they received over \$5 million; Blue Diamond received over \$35 million; Dole Fresh Fruit, \$8,152,705; Pillsbury, \$9,293,503. Parenthetically, Pillsbury is no longer an American company but part of a British subsidiary as I think most of my colleagues know.

My point being: Why, with companies that have sales over \$1 billion and which have the full capability of developing their own advertising budget and determining how much they want to

put into those budgets, why is the American taxpayer being asked to come up with money to supplement those advertising accounts, particularly when, as I say, returning to the former point, we really do not have an established track record that the additional funding has achieved its purpose?

I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Madam President, I know the point has been made, but I would like to reiterate this one point, and that is, as you know, the President requested \$146 million for this program which, staff advises me, is precisely the same figure that we had in 1993, this present year. As you know, the House cut that by \$20 million. And our subcommittee cut it, actually, to \$75 million, which was over a \$50 million cut.

And I did that—I will not say I did that—I proposed that cut and the subcommittee accepted it. And I proposed that because I have been troubled about the whole rationale for the program. I have been troubled about the way some of the money was spent.

But the Senator from Mississippi makes the point that we are competing with countries that subsidize their agriculture interests to a much greater degree than we do.

No. 2, many of us here—and I know the Senator from Missouri [Mr. BOND] has led the charge to try to do more further processing of foods before we send them overseas. If you send raw wheat abroad, you do not get very much for it. If you send a load of bread abroad, you increase the value of your export by about twentyfold.

The same way with chicken. That is a good way to get my attention—talk about chicken. We are the biggest in that business. The companies in my State that have done the best are the people that got ahead of the curve years ago and started cooking chicken instead of selling whole fryers.

My mother, were she alive, would be absolutely amazed at what we do with chicken now. Because always on Saturday, she killed the chicken, dressed it, and sliced it over the kitchen sink. I have seen her do it a million times. Now that takes just a split second in these chicken processing plants.

But one of the companies you mentioned, of course, is an Arkansas corporation, who is by far the biggest chicken processing company in the world. They are big in pork, too. That company has been successful because they have done further processing of chickens. And that is what they export.

They have always tried to sell the dark meat, the wings, the legs, and the thighs, to the Russians. It has just as much protein value, but very little attractiveness on the American market.

You would be amazed, I say to the Senator, at what they are willing to sell you what we call drumsticks and thighs and wings for. Now wings are a little more attractive in the market. But they will sell you drumsticks and thighs for little more than nothing.

So while I have been ambivalent about it, I am going to wait until we go to conference and see where we come out and make a decision at that point.

I admire the Senator. He is one of the ablest men in the U.S. Senate. Both of his amendments are well crafted, were will debated, and deserve the attention of the Senate.

Having said that, if the Senator is prepared to yield back his time, I am prepared to yield back my time, the Senator from Mississippi can make his motion to table, and we will get the yeas and nays.

Mr. BRYAN. I thank the Senator from Arkansas for his comments.

Let me commend him, as well. I recognize that this program 2 years ago was \$200 million annually. So that is a substantial reduction, and I applaud those efforts.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Madam President, I am prepared to yield back the remainder of my time.

Mr. BUMPERS. I yield back the remainder of my time.

Mr. COCHRAN. Madam President, I move to table the amendment of the Senator from Nevada, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. As previously ordered, the vote ordered on this amendment will be postponed until Tuesday, July 27.

Mr. BUMPERS. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum not be charged to the managers of the bill under the 1 hour provision of the unanimous consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Madam President, I want to make this additional point.

Instead of making this request each time we have a quorum call, I ask unanimous consent that each time either of the floor managers puts in a request for a quorum call, the time not be charged against the managers under the 1 hour provision of the unanimous consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, I ask unanimous consent to speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, I wanted to tell my colleagues of a letter I received from the President this morning.

Before I do, on this bill, I heard the Senator from Mississippi [Mr. COCHRAN], earlier express some reservations about a policy I had some reservations about, as well, and that is the FDA user fees.

I fully understand the dilemma of the subcommittee, but I think an open-ended user fee concept through FDA is troublesome, and I hope to be able to resolve that in a satisfactory way as this legislation moves forward.

RURAL AMERICA

Mr. DORGAN. Madam President, the Congressman from Illinois, Congressman DICK DURBIN, and I, about a year and a half ago, wrote to President Bush and asked him to consider holding a rural summit. The reason we did, is there is much discussion these days about inner-city problems, about urban policy problems, about the troubles in America's cities, but precious little discussion in a concentrated way about what is happening in rural America.

My own home county has lost almost 20 percent of its population in the last decade and a half. If you are trying to do business in that country, you are trying to do business in a near depression. It is pretty troublesome to do business in an area where people are moving out.

You can hardly sell a house in my old hometown. People are not moving in. They are moving out. That is not unusual. This is true in a lot of rural communities up and down the Farm Belt.

Family farmers are failing. Main Street businesses are boarding up. People are moving from our small towns. And what used to be an economy like a plum is now shrinking, like a prune, and nobody seems to mind it much.

We need to find out what is wrong and how to fix it. How do we establish a fundamental economic policy change that can restore some economic health and breathe some life into rural America?

Well, a year and a half ago, Congressman DUBIN and I asked President Bush to convene a summit on rural America. President Bush declined that request. Our intention was to ask if we could get, at least at one point, all of the spotlight shining on the same spot with respect to policy and how it affects rural America: What can we do in farm policy? What can we do in rural development policy to give communities and businessmen and farmers and others a chance, an opportunity to see an economy in rural America that grows?

About a month and a half ago, Congressman DUBIN and I wrote to President Clinton and asked him the same thing: Considering holding a rural summit to discuss rural American issues, discuss farm policy, discuss rural development issues.

We received a letter back from President Clinton. This President said, yes. He said, "Let's do it. It is necessary and important for us to talk about rural America."

Probably the reason he said yes is that he comes from rural America, understands the issues that affect our small towns and the people who live in and near them. I am really pleased today that this President says, yes, let us proceed to hold a rural summit of sorts.

The President has asked Secretary Espy to coordinate a summit of this type. As you know and as my colleagues know, Secretary Espy is also the point person on the tragic flooding that is going on, so I expect that means it is going to be some while before we develop details on a summit that deals with rural policy. But I cannot tell you how refreshing it is to have a President say, "Yes, let's do this. This makes sense. This is a problem, let us address it. If something is wrong, let us fix it." It makes me feel good that we have somebody who wants to look at these issues and say let us do something about it.

It is easy to talk about economic policy in the abstract, but I recall stopping by a farm sale a couple of years ago. There was a little tyke about 6 years old wearing tight Levis and a big old Western hat. You could barely see him for the cowboy boots and the hat. He lived there on the ranch with his dad and mom. They were having a farm ranch sale and this little boy had tears in his eyes, at age 6. They were losing their place. Another foreclosure, just another statistic. But this little boy with his cowboy hat was crying, and so were his folks because it was not just a business, it was their dream. It was what they had put everything in their lives into.

I got a call from a woman who runs a dairy operation south of Bismarck, ND, about to lose their dairy farm. She said, "My husband and I have been doing this since we got out of high

school. It's the only thing we know, and we have done the best we could, and 15 years later we are going to lose the place," and she started to cry on the telephone.

All of us know these stories. We have seen them, we have heard them, we feel them—and something is wrong. That is why I am delighted this President has decided, yes, there is something wrong in rural America, but it is something we can fix with a change in policies. This President says let us have fundamental economic change, not just for the cities, for everybody, and especially for people who live and work in rural America.

Madam President, I yield the remainder of my time.

Mr. BUMPERS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DORGAN). Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, I ask unanimous consent I be permitted to proceed for 5 minutes as in morning business and it not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

VINCENT FOSTER

Mr. BUMPERS. Mr. President, I rise to pay tribute to a friend, Vince Foster, Jr., who was Deputy Counsel to the President of the United States. The rest of the story is relatively well known, that he took his life last Tuesday evening in a small park just off GW Parkway.

I was not a close friend. Just a good friend. I was also a friend of his father, who was a strong political supporter of mine, as was Vince, Jr.

The Fosters were a remarkable family. Vince's father, Vince, Sr., was one of the most respected men in Arkansas, a man whose success in virtually every endeavor was the envy of all the people in that area. A man of character, intellect, and public spiritedness. Vince's sister, Sheila Anthony, is the wife of former Congressman Beryl Anthony, with whom the Presiding Officer [Mr. DORGAN] served for several years in the House of Representatives. And now Sheila is an Assistant Attorney General of the United States.

Vince, as has been reported and widely discussed, was a soft-spoken, reserved person. He was brilliant. He was No. 1 in his law school class, No. 1 on the bar exam.

I saw an old picture of him over the weekend, which had him and President Clinton in Miss Mary Purkin's kinder-

garten. I guess they were 5 years old at the time. This was in Hope, AR. "Mack" McLarty, the President's Chief of Staff, was 1 year behind them; three very prominent people from Hope. Maybe some of their fantastic successes can be attributed to Ms. Purkin's kindergarten.

In any event, Vince was one of the last persons that I would have ever thought would get to a state of mind where he felt life was not worth continuing. He had a beautiful wife, Lisa, and three beautiful children, Vince III, Brugh, and Laura. Vince III has been interning in my office here in Washington this summer. They are all beautiful children, destined, in my opinion, to succeed just as their father had.

I was rather shocked when he left what we refer to as the Rose Law Firm in Little Rock to come to Washington. He was a senior partner and had become managing partner after 2 years in the firm. Two years out of law school in that firm, and he was such a profound success they made him a managing partner.

It was in that law firm that he and Hillary Clinton became trusted, close friends. I think I could say that the President and the First Lady probably relied as much on his counsel and advice as they did anybody, and I know that both of them considered him one of two or three of their very best friends.

He was not only brilliant, common sensical, he was also handsome. I would say Vince was probably 6 feet 3 inches tall, and I had told my wife two or three times since the first of the year that I thought Vince Foster was maybe the best looking guy I ever knew.

But he was also the kind of fellow whose big physical presence and handsomeness was of little importance to him. He was totally devoted to his family and his work, and that is what mattered to him.

I do not know what else I can say about Vince, except that it was shocking and that his death seems so senseless, inexplicable. But I have certainly lost a friend. The President and the First Lady have lost a right arm. My beloved State of Arkansas has lost one of its noblest, brightest sons, and the Nation also has lost a great public servant.

When you come here from the private sector and you are subjected, particularly at the White House, which is such a pressure cooker, to all of these tremendous pressures, your motives questioned, your integrity, everything attacked, it is unexpected, and sometimes traumatic.

I can relate to it because when I ran for Governor not expecting to win, and suddenly found myself elected suddenly, I am cast from small town lawyer to the Governor's mansion and the Governor's office. You talk about a country boy being out of his league,

you are looking at one. It took me a long time to settle in to being Governor. I was terrified. But I know that for whatever reason, Vince made his decision, it was made, and I speak simply to say it is a terrible loss to all of us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

Mr. STEVENS. Mr. President, I ask unanimous consent that I may have approximately 4 minutes to speak on the Bryan amendment to the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska, [Mr. STEVENS], is recognized for 4 minutes.

AMENDMENT NO. 662, AS MODIFIED

Mr. STEVENS. Mr. President, the Market Promotion Program used to be called the Targeted Export Assistance Program and was authorized by the Food Security Act of 1985. The new program, what we call the MPP, replaced the 1985 program as part of the 1990 Farm Act and was authorized at about \$200 million annually.

This MPP has been one of the most profitable U.S. assistance programs we have devised, returning anywhere from \$2 to \$7 for each dollar that has been spent in promotion of our exports.

Let me point out to the Senate that between 1980 and 1992 Alaska went from supplying 41 percent of the world's salmon to supplying 31 percent, a substantial decline in the supply of the World's salmon from Alaska.

That decline was largely the result of the tremendous growth in foreign farmed salmon, a production that is subsidized by most foreign governments. We harvest wild salmon.

The MPP has been a significant help to the Alaska seafood industry in battling these subsidies, the subsidized foreign production, and in improving our foreign markets.

Despite the severe competition from this salmon that comes from foreign markets, Alaska, in 1992, increased its exports to Japan by 17 percent. Alaska salmon exports to France grew by 30 percent. Alaska canned salmon exports to the United Kingdom grew by 16.5 percent. That growth was the direct result of the Alaska Seafood Marketing Institute's program to educate foreign consumers, and they used MPP funds, the Market Promotion Program funds, to bring that about.

When countries like Norway, Chile, and Japan are subsidizing the production of their farmers and their harvesters of seafood with billions of dollars, I do not think we can expect our fishing industry to survive without some help from our Federal Government.

The MPP is one of the Federal programs that has assisted our exporters, and has particularly assisted our fishing industry in competing with subsidized suppliers on the world market. And this program, as I said, has increased our exports by \$2 to \$7 for each \$1 spent on the MPP program.

Mr. President, I urge the defeat of the Bryan amendment.

BENEFITS OF THE MARKET PROMOTION PROGRAM

Mr. MURKOWSKI. Mr. President, I wanted to state for the record my strong support for the U.S. Department of Agriculture's Market Promotion Program [MPP]. I am no fan of subsidy programs that simply serve to increase the price of various agricultural products, but that is by no means the case here. The Market Promotion Program is a highly successful and cost-effective program that has been instrumental to the Alaska seafood industry's tremendous achievement in the export market in recent years.

As most of my colleagues know, the intent of the MPP is to help fund certain additional market promotion activities undertaken by U.S. industries and producers in foreign markets where U.S. products are unfairly treated. I want to make it clear that this is not a free ride for anyone who wants to use it—the private sector participants share the costs with the Federal Government for this program. Its value lies in the ability to increase promotion purchasing power, and thus effectiveness, over and above what the private sector can do by itself. This provides an effective counter to unfair trade practices and subsidies for competing producers from other countries.

MPP's cost-effectiveness a matter of record: for every dollar spent for promotional activities under MPP, the sales of participating U.S. agricultural products have increased an average of \$2 to \$7. Each dollar of increased sales benefits more than just the seller—its circulation through the nation's economy helps maintain stability and stimulate growth throughout the country. This program is paying for itself.

Let me offer some solid examples from my own State of Alaska. The Alaska Seafood Marketing Institute [ASMI] has participated in the MPP since 1987. Before entering the program, the Alaskan salmon industry was suffering great difficulty competing in Europe and the Pacific rim, where Alaskan salmon faced—and continues to face—unfair competition from heavily subsidized farm-raised salmon from Norway, Japan, Canada and elsewhere. Using MPP funds, ASMI has been able to develop a promotional

campaign to differentiate Alaska salmon as uniquely natural and wild—carving out a niche market despite significant price disadvantages in comparison with subsidized foreign products. The campaign results have been impressive by any standard.

Alaska's 1992 canned salmon exports to the United Kingdom increased by 16.5 percent over the previous year, despite a slight overall decline in that country's total canned salmon imports. In France, Alaska salmon posted a remarkable 30 percent increase in 1992 over the prior year, making Alaska France's No. 2 supplier of imported salmon, second only to Norway, a country which provides extensive subsidies to its farmed salmon industry. And in Japan, despite severe competition from a growing number of countries including Norway, Chile, Russia, and others, MPP funds have helped Alaska continue to expand exports—last year by a margin of 17 percent.

Overall, the MPP has increased U.S. agricultural exports by as much as \$1.4 billion annually, thus making a significant contribution to the agricultural sector's \$18 billion trade surplus. At its former funding levels of just \$200 million, MPP was generating nearly \$2.2 billion annually in increased U.S. economic activity, supporting the creation of some 38,000 jobs in food processing, manufacturing and transportation, as well as other fields.

The MPP is an effective mechanism to counter unfair trade practices and subsidized competition by our foreign trade partners—and rivals—such as the members of the European Economic Community, which spends billions of dollars each year to protect and increase the market share of its agricultural producers.

This program has been a great success according to the rules established for it. I strongly support its continuation. In fact, I would go further and urge my colleagues to restore it to the full requested funding level of \$147.7 million.

If there are problems with this program, then by all means they should be corrected. But, Mr. President, radical surgery is not the answer, and my colleagues know it. The proper place for that debate is in the authorization process.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair asks the Senator from Idaho to suspend briefly and advises the Senator from Idaho, we are operating under a time agreement. The Senator can ask to speak as in morning

business or seek time to speak on the bill.

Mr. CRAIG. I appreciate the President bringing that to my attention. I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Idaho is recognized for 5 minutes.

WOOL AND MOHAIR AMENDMENT TO H.R. 2493

Mr. CRAIG. Mr. President, I come to the floor this afternoon to talk about an amendment that is before this body in consideration of this particular appropriations bill that concerns me a great deal. It is very easy for us to take the sharp knife and look at programs and try to pare down this budget all in the name of fiscal responsibility, and it is the right thing to do. Certainly, the President and I have worked continually on those kinds of programs to try to solve that.

One such effort was brought this afternoon that I think deserves a broader explanation and a more critical look. And I say that in relation to an amendment that tends to cut back and reduce and, in this case, outright eliminate the wool and mohair program that is currently part of our agricultural policy in this country.

One very important item that should be reiterated again and again about this particular amendment to eliminate this program is that the program has a dedicated funding source. What does that mean to the average person who is looking at Government programs? In other words, are those tax dollars that are currently being expended for the funding of this program? The answer is no. They are not U.S. taxpayers' dollars. They are coming out of the hip pocket of no taxpayer in this country.

This is a program that is not funded by taxpayers' dollars. It is a program that comes from an import tariff on wool and wool products from foreign wool-producing countries. The U.S. Treasury then takes those dollars and funnels them through this program to the people who participate in this program.

What is unique about it is that less than half of the funds available that are collected annually that the program is entitled to use to pay to our domestic wool and mohair producers is not used. The rest is staying inside the General Treasury, or the general fund, of this Government and gets disbursed in other programs.

So not only does the taxpayer not have to pay for this, but the taxpayer is gaining the benefit of some of the money that is being collected through the program going out for other kinds of programs. Let me give a couple of examples.

In 1991, the tariffs collected were in excess of \$401 million, with payments

of just over \$172 million to sheep and goat raisers in this country who are producing wool and mohair.

In the lifetime earnings of this program, it is \$1.4 billion in a total period of time of 28 years and just over \$2.3 billion paid out. In other words, it is a big money-maker for this country, while at the same time dealing with our domestic industry and keeping it alive as it struggled under some very adverse conditions and competition to stay in production.

As we know, the primary objective of amending the National Wool Act of 1954 was just that: To encourage wool and mohair production in our country, to deal with prices and producers, to try to keep a balanced and fair approach to this, and to keep our domestic sheep and Angora goat industry alive.

Mr. President, more than 350,000 Americans in small rural communities exist on income generated by the sheep industry.

Now, I am sure that fact was not given a few moments ago by the Senator who has introduced this amendment. He did not want this Senate to know that some 350,000 producers have some direct impact on this.

Now, that is not just a dollar in the hip pocket of an individual. That is a dollar to a small farmer which then gets used in the purchase of goods and services in a variety of the rural communities of your State and my State and around the country. Sheep production provides critical income for 70 percent of some 3,042 rural counties across this country.

In short, the U.S. sheep industry provides a major source of income for a very large part of rural America and the Navajo Indian Nation.

In this instance, it should also be noted, Mr. President, that there are payment caps included in the Wool Act. In other words, nobody gets rich off this. There is a spending or a payment limit. Large payments are simply not the norm under this overall program.

American consumers get the real benefit of the program with safe, quality lamb and wool products at affordable prices. This is accomplished through the subsidization of the product and the program again with money that is not paid by the taxpayer but is paid by the nation or the importing industry that is selling in this country.

Now, that is the kind of balance that we try to strike in much of our import legislation and much of our trade relationship which we develop with other countries. Here is a perfect example of it. But because someone, some Senator, in the name of reducing the deficit, has reached in and picked out this program because it does not have a broad-based constituency, I think he is saying I will gain a few points back home.

Well, he may gain a few points back home. In the process, 350,000 people in

the industry will receive a little less money and their margins will be a little different. In the instance of the western rangeland sheep industry, it will probably put a few people out of business, people who are now being told they are going to have a grazing fee increase, people who have seen their costs of operation well above the return from their production over the last several years.

In other words, this was an important program when it was created in 1954. It has served the industry well at no expense to the taxpayers of this country, and it continues to serve the industry well in a way that I think we would like to design a lot of our programs.

That is why I came to the floor today, to add to the RECORD what I think is the other side of the story that the Senator from Nevada really should allow the American people to hear, and certainly for the taxpayers to know they are not going to get any benefit and their taxes are not going to be reduced because they do not pay into the program.

With those remarks, I will yield back the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRAIG. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 648

The PRESIDING OFFICER. If there is no objection, the Domenici amendment No. 648 will be temporarily laid aside.

Mr. BUMPERS. Mr. President, I will shortly offer a colloquy which has been entered into between Senators KENNEDY, KASSEBAUM, HATCH, BUMPERS, and COCHRAN. The colloquy deals with a provision in our bill which requires the Food and Drug Administration to raise \$175 million in user fees from the industries they regulate.

First, I want to say that I have been troubled by this, and we have rejected user fees in the past. But because of the budget constraints this year and the charitable demands on the subcommittee for various kinds of funding and increased funding, we had very little or no choice except to ask for this \$175 million.

I might also say that the President had requested \$200 million in user fees.

In any event, Senators KENNEDY, KASSEBAUM, and HATCH have raised serious and legitimate questions and concerns about the ability of the FDA to actually raise this amount of money in the short period of time in which they would have to raise it.

So, in the colloquy I say that I share their concerns and that we will do our very best, of course, to come up with a solution to their problem and at the same time meet what all of us consider to be our legitimate concerns.

Mr. KENNEDY. Mr. President, Senators KASSEBAUM, HATCH, and I wish to engage in a colloquy with my esteemed colleagues with regard to provisions in the legislation before us today authorizing the Food and Drug Administration [FDA] to collect \$175 million in user fees from FDA-regulated industries.

We recognize the extraordinarily difficult funding constraints under which the chairman and his colleagues developed the fiscal year 1994 appropriations measure we are considering today. Nevertheless, we are very troubled by provisions in H.R. 2493, as reported by the subcommittee, authorizing the FDA to collect \$175 million in user fees from the food, medical device, and other FDA-regulated industries.

Mrs. KASSEBAUM. I would also note that these provisions are a major change in public policy and should first be considered and, if appropriate, authorized by the Committee on Labor and Human Resources, which has jurisdiction over the FDA.

In the past, your subcommittee has recognized the importance of seeking such authorization before imposing user fees. Past agriculture and related agency appropriations bill reports have rejected administration proposals for user fees and directed the Secretary of Health and Human Services to seek authority for such user fees from the appropriate authorizing committees.

Furthermore, the committee report on another section of the appropriations measure we are considering today specifically rejects an administration budget proposal to fund the Food Safety and Inspection Service through user fees and directs the Secretary of Agriculture to seek authorization for such fees.

Mr. HATCH. I share these concerns. In addition, it is important to note that the proposed \$175 million in user fees differs greatly from the prescription drug user fees authorized by the Committee on Labor and Human Resources in the last Congress after very careful, thorough deliberations.

The proposed \$175 million in user fees, by contrast, supplant direct appropriations. They do not increase the revenues the FDA needs to fulfill its many and growing responsibilities. Nor are the proposed user fees dedicated to a specific purpose. They would not benefit the food industry, which is likely

to bear the brunt of the fees. They are, in effect, a regressive tax on the food industry which will add to the cost of food for consumers. If implemented in their current form, these user fees could have a severe impact on many small businesses, especially the medical device industry, one of our most innovative and internationally competitive industries.

Mr. KENNEDY. It is my understanding that since the proposed \$175 million in user fees replaces direct appropriations for the FDA, the resulting level of direct appropriations in the legislation may be too low to allow the FDA to collect prescription drug user fees under the Prescription Drug User Fee Act.

The Prescription Drug User Fee Act requires that appropriations for the FDA must be equal to or greater than the appropriations for fiscal year 1992, multiplied by an adjustment factor. The proposed appropriation of only \$638.339 million—the net spending authority after all user fees are deducted—is far below this threshold.

Mr. COCHRAN. I am concerned that it will not be possible for FDA to collect \$200 million in user fees in fiscal year 1994.

Previously, FDA officials have indicated that the implementation of a user fee program of this magnitude, including the development and implementation of regulations and the identification of companies and products subject to such fees, would take at least eighteen months. Further, since the proposed user fees replace rather than supplement FDA appropriations, the implementation of these processes would consume substantial FDA resources, which would have to come out of the fiscal year 1994 appropriation.

Mrs. KASSEBAUM. As the chairman knows, H.R. 2493, as approved by the House, does not include \$175 million in new user fee authority and specifically directs the Secretary of Health and Human Services to seek authorization for such fees from the appropriate committees of Congress. We urge you to recede to this position in conference committee.

I would also like to submit statements from Senators DURENBERGER and COATS, who share the concerns we have raised today.

Mr. BUMPERS. Mr. President, I find myself agreeing with everything my colleagues have said. I found it very difficult making this recommendation for FDA user fees in the first place for exactly the reasons that have been outlined here today. In the past, we have rejected these user fees, and we have urged past administrations not to include them in their budgets until they are specifically authorized.

As you can well imagine, we had to consider many competing demands in trying to agree on an appropriations bill that could meet the targets with

which we were presented. I intend to work in conference committee to find the resources necessary for the FDA to meet its many responsibilities without relying on new user fees.

Mr. COCHRAN. I concur with the concerns expressed by Senators KASSEBAUM, KENNEDY, and HATCH on the FDA user fee issue. This is most certainly an issue which should be addressed by the Committee on Labor and Human Resources, which has jurisdiction over this matter. I do not agree with the FDA user fee language in this bill, as I indicated earlier. It is my hope that we will be able to work in conference with the House to provide the necessary funding for the FDA so the need for these additional user fees will be eliminated.

Mr. DURENBERGER. Mr. President, I share the concerns of my distinguished colleagues, Senator BUMPERS from Arkansas and Senator COCHRAN of Mississippi regarding the imposition of user fees. I oppose the provision in H.R. 2493 that directs the Food and Drug Administration to collect \$175 million of its budgetary request of \$924 million through general purpose user fees.

There are many reasons for my opposition to the inclusion of this provision in the appropriations process. I am not generally opposed to user fees for recipients of public services. However, revenue raising of this magnitude by an agency charged with critically important regulatory responsibilities should not be imposed cavalierly. It is sufficiently important that it requires debate by the committee of jurisdiction—Labor and Human Resources—as well as public comment.

In fact, this provision statutorily precludes the implementation of a Labor Committee bill, the Prescription Drug User Fee Act of 1992. In fact, that bill specifically triggered the user fee provision only if the appropriations stay above a designated baseline. The purpose of that provision was to prevent precisely what is happening here—the assessment of user fees as a substitute for adequate appropriations for the Food and Drug Administration.

In addition, the provision before us allows for general purpose user fees. FDA regulates a wide several different industries with vastly different regulatory tools.

The medical device industry has been hard hit by the deterioration of the product review process in the last few years. New personnel have been brought on board to address the significant problems in the Center for Devices and Radiological Health, but as yet no significant progress has been made. It is a cruel irony to ask the device industry to subsidize this agency when the industry is so ill-served at this time. If user fees on the device industry were to be imposed, it should only occur with a full airing of the problems and challenges of the agency, and with specific,

measurable steps to improve the system or product review.

With respect to food inspection, there is no doubt that the FDA is underfunded. Congress imposes mandates on the FDA's food inspection programs and then fails to appropriate sufficient funds for them to be adequately administered. Then, Congress charges that FDA won't do its job.

While it is true that user fees might partially address the funding problem, there is a larger question of whether FDA should continue jurisdiction over such diverse sectors of the economy as highly advanced medical technologies like drugs and medical devices, along with the very different, but equally important, questions of food safety.

I have proposed taking food inspection out of the FDA and placing it into a separate, independent Food Safety and Inspection Agency. By doing this, the public would be assured that critical issues of food safety were being handled by an agency completely committed to that task.

Forcing FDA to raise \$175 million of its budget from user fees is a short-term piecemeal approach to basic structural and organizational problems at FDA.

The Labor and Human Resources Committee is best suited to a careful and indepth analysis of the present problems facing the FDA and the industries it oversees. Budgetary constraints have long hampered the agency and user fees may indeed be a solution to some of those problems. However, the Labor Committee must address this issue in its largest context. FDA and the industries it regulates must not be a tool for mere budget balancing. The stakes for the American public and the economy are simply too high.

Mr. HARKIN. Mr. President, I want to echo the comments made earlier and voice my serious concerns about the FDA user fees imposed in this bill. Under the bill, the FDA would be required to collect \$175 million from the industries it regulates. That is in addition to the \$54 million in user fees to be collected specifically on prescription drugs.

In noting my opposition to these fees, I do not in any way intend to deprecate the very difficult task that Chairman BUMPERS faced in crafting this bill to fall within his allocation. I do not mean to minimize the difficulty of resolving this particular item, but I am hopeful that the conference will adopt the House provision, which does not provide for the collection of such fees. And I would hope that the chairman will do all that he can to eliminate these user fees from the bill.

As has been noted, there is a problem insofar as this bill imposes fees that have not been considered by the authorizing committees. In fact, when Congress passed the Prescription Drug

User Fee Act of 1992 last year, we specifically envisioned that FDA would not collect user fees on anything other than prescription drugs without explicit authorization. I raise this matter of authorization not so much to assert the jurisdiction of the Labor and Human Resources Committee, as to point out that the impact of these fees has not been fully considered.

What this bill does is cut the appropriation for FDA's operations, and then tell the agency to make up the difference by collecting user fees from the food, drug, medical device, feed, and animal health industries. Let's be clear about this. These new fees are intended to cover the costs of ongoing operating costs that have been appropriated in the past. This is in sharp contrast to the Prescription Drug User Fee Act, where the user fees for drugs and biologics are specifically dedicated to improving review and inspection programs in those industries. In other words, the fees will go to finance new and improved services. But that clearly is not the case of the \$175 million in new user fees in this bill.

The FDA has been struggling for years to carry out its responsibilities with the limited funding it receives. This cut in appropriations will only compound its problems. GAO and the DHHS Advisory Committee have both expressed concern over the ability of the FDA to carry out its statutory mandates. The Advisory Committee stated that "the FDA has been placed in an almost untenable position in the past decade as Congress has relentlessly added new responsibilities without providing new resources to carry them out." I do not see how the solution to this problem can be to cut FDA's appropriation and then tell the agency to go out and find its funding elsewhere.

I am particularly doubtful that FDA can issue the regulations and collect the full amount of these fees during the 1994 fiscal year. That will take significant time. But under this bill, if the FDA is unable to get these fees collected, it will fall short in the money it needs to carry out its operations.

Moreover, the user fees are a backdoor regressive tax on the consumers who buy the products on which the new user fees will be collected. You can be sure that these costs will be passed along. And as is so often the case, it will be those least able to bear the cost who will end up paying these fees. So I strongly believe that the general funds of the Federal Government should pay for these services of the FDA that are of general benefit to our country as a whole.

Finally, let's put the matter of FDA funding in perspective. The FDA is responsible for regulating \$960 billion worth of products each year. That means that 25 cents out of each \$1 spent by consumers goes for products

falling under the oversight of the FDA. That is a huge responsibility, and it is a mistake to think that the FDA can carry out its mission on the cheap. The FDA's operating budget is about one-tenth of a percent of the retail value of the products it regulates, at a cost of only about \$2.40 on average for each American annually. I just think we need to be very careful before we start trying to cut corners in funding the FDA when the health and safety of our citizens are directly at stake.

I am confident that Chairman BUMPERS will do all he can to resolve this matter in conference. I thank him for his careful consideration and cooperation on this important issue.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. COCHRAN. I thank the distinguished Senator from Arkansas for explaining as he did in the colloquy that that statement has been put in the RECORD relating to the user fees.

This has been a very difficult part of the bill for us to resolve. From this Senator's point of view, we appreciate having the input of this statement from Senators on the legislative committee which has jurisdiction over legislation, Senators KENNEDY, HATCH, and KASSEBAUM.

I share with the Senator from Arkansas the hope that we can resolve this issue. It troubles me as it does him that we are being asked to put forth legislation in this bill with such far-reaching ramifications and that we are striking out on completely a new course for the funding of the activities of the Food and Drug Administration.

I regret that we have come to this point in this budget process. I hope we can resolve it satisfactorily in conference.

Mr. COATS. Mr. President, I have strong concerns with the language in the Agriculture, Rural Development, FDA, and Related Agencies which directs the FDA to collect \$175 million in general purpose user fees. I will submit for the RECORD a letter from John Cady, president and chief executive officer of the National Food Processors Association, which highlights how the envisioned user fee would negatively impact Indiana small businesses and Hoosiers with lower incomes.

My concerns are rooted in the fact that no hearings have been held on this issue in the Senate Committee on Labor and Human Resources. In the past, the House and Senate Appropriations Subcommittees on Agriculture and Related Agencies have specifically prohibited the FDA from levying user fees indicating that an authorization is needed from the authorizing committees. This year's House passed bill embodies this principle. The House report states:

The recommendation *** does not include \$200,000,000 in unauthorized user fees as requested in the President's budget. The Committee continues to express its belief that

user fees for the Food and Drug Administration are such a significant policy change that the Department of Health and Human Services should work with the appropriate committees on Congress to have them specifically authorized. Accordingly, the Committee again has provided language prohibiting the use of 31 U.S.C. 9701 as the generic authority for the Food and Drug Administration to charge user fees.

I also have concerns with the current language embodied in the Senate Agriculture, Rural Development, FDA and Related Agencies fiscal year 1994 appropriations bill because of its impact on the Prescription Drug User Fee Act for the upcoming fiscal year. Last year, when the Senate Labor and Human Resources Committee passed legislation to implement user fees through the Prescription Drug User Fee Act of 1992, I raised concerns that this money not be used to supplant future funding at the FDA for any industry. I said then, and I would like to repeat, if we are to meet the objectives set in the Prescription Drug User Fee Act—streamlining the review process and enhancing the efficiency of the FDA, we must appropriate with integrity.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL FOOD
PROCESSORS ASSOCIATION,
Washington, DC, July 21, 1993.

Hon. DAN COATS,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR COATS: The Senate will soon consider H.R. 2493, the FY 1994 appropriations bill for Agriculture, Rural Development, Food and Drug Administration and Related Agencies. NFPA strongly opposes the Senate Committee on Appropriations language that would provide funding to the Food and Drug Administration (FDA) in FY '94 through the collection of \$175 million in so-called user fees from the food, medical device and non-prescription drug industries. This "user fee" would impose a tax on an industry simply because it is regulated by FDA. The regulatory tax proposal is contrary to clear Congressional intent and cannot generate the claimed revenues in FY '94. It would impose a highly regressive tax that would be inequitable in its design. Charging fees to an industry it regulates would undermine confidence in FDA's integrity and could inhibit private sector job growth.

NFPA supports H.R. 2493 as passed by the House of Representatives, which fully funds the FDA at \$867 million, yet specifically prohibits the imposition of user fees, with the exception of those authorized by the Prescription Drug User Fee Act of 1992.

The notion of imposing FDA user fees based on the authority of 31 U.S.C. §9701 is a favorite theory of the Office of Management and Budget, but has been rejected by Congress on numerous occasions. For example, in 1993, as in years past, FDA appropriations carry the proviso that "none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. §9701." Moreover, Congress addressed FDA "user fees" last year by specifically authorizing user fees to be imposed only on the prescription drug industry. Congress has clearly expressed its will that any additional user fees imposed through the Food and Drug

Administration be specifically authorized, thereby presumably providing an opportunity for Congress to address the significant issues inherent in developing a user fee system.

Establishment of user fees on the industries regulated by FDA would require rulemaking to resolve difficult issues that are central to maintaining equity within and between the industries subject to this tax. Such a rulemaking would generally require at least two years and would be extremely ambitious to complete in less than one year. Even after completion of a rulemaking that establishes the user fee policies, the mechanism for the collection of the fees would still have to be established. Therefore, if FDA were to propose a rule for establishment of user fees today, collection of fees in FY '94 would be doubtful. However, FDA is currently under a prohibition from engaging in activities to "develop, establish, or operate any program of user fees authorized by 31 U.S.C. §9701." Thus, FDA is legally prohibited from initiating drafting of a proposed rule to begin the rulemaking process for establishment of such so-called user fees. The proposed "user fees" are no more than a budget gimmick.

Imposition of fees on industries because they are regulated by FDA would establish a regulatory tax that is extremely regressive in character. Because regulated industries would pass the cost of this tax on to purchasers of their goods, low-income Americans who spend the highest proportion of their income on food would pay the highest proportion of their income on the tax to support FDA. Similarly, the cost of medical devices and non-prescription drugs would be increased to cover this regulatory tax.

Traditionally, advocates of FDA user fees have sought to allay concerns that the fees would merely displace appropriations for operation of the agency by insisting that user fees augment rather than supplant agency appropriations related to the taxed industry. This principle was embodied in the Prescription Drug User Fee Act of 1992. However, the Committee proposal, based on the Administration budget request of \$200 million in user fees, will supplant appropriations. Moreover, the Administration Budget apparently reflects an intention to cut agency resources in areas where the newly-taxed industries look to the agency for leadership. The Administration Budget calls for a reduction in FDA full-time equivalents of 171 while proposing to substantially increase personnel working in the review of prescription drug applications and in medical devices. This makes it clear that a substantial portion of the personnel reduction would likely occur at the Center of Food Safety and Applied Nutrition, while the food industry would presumably be called upon to bear a large share of the proposed regulatory tax.

Both the reality and the perception of the integrity of FDA are important in maintaining public confidence in the agency. Yet, concerns have been raised by leaders from all points on the political spectrum regarding the effect of user fees on public confidence in the independence of FDA. This concern is in no small part why a 1947 user fee on meat and poultry inspections was repealed by the same Congress in 1948, with report language that read, "The cost of such inspection should be paid out of the general funds of the federal government—not only because such inspection is a proper charge against the people as a whole, but because it is the only way in which consumers can be assured of effective, uncompromising inspection in which they can repose the fullest confidence."

The vast majority of new jobs in the private sector have been created by small businesses. Small businesses are most vulnerable to the credit crunch and cash flow pressures, which would be aggravated by imposition of user fees. Small businesses are least able to pass the cost of so-called user fees on to their customers. As a result, this proposal would further restrict growth of small businesses, the best creator of new American jobs.

I urge you to provide full funding for the FDA through appropriations. Please reject the Committee on Appropriations proposal to fund these important public health programs through regulatory fees on the food industry.

Regards,

JOHN R. CADY,
President and CEO.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, is the pending business now the Domenici amendment?

The PRESIDING OFFICER (Mr. METZENBAUM). The Domenici amendment was set aside by consent.

Mr. BUMPERS. Mr. President, is it the pending business at this point?

The PRESIDING OFFICER. It is not the pending business.

AMENDMENT NO. 648

Mr. BUMPERS. Mr. President, I ask unanimous consent that it be made the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 665 TO AMENDMENT NO. 648

Mr. BUMPERS. Mr. President, I send a second-degree amendment to the Domenici amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 665 to amendment No. 648.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be inserted by said amendment, insert the following:

SEC. 306C. REFINANCING OF LOANS.

(a) IN GENERAL.—A borrower of a loan made by the Federal Financing Bank and guaranteed under section 306 of this Act may, at the option of the borrower, refinance such loan, loan advance, or any portion thereof.

(b) PENALTY.—

(1) DETERMINATION OF PENALTY.—A penalty shall be assessed against a borrower that refinances a loan, loan advance or any portion thereof under this section. Such penalty shall, except as provided by paragraph (2), be equal to the lesser of—

(A) the difference between the outstanding principal balance of the loan being refinanced and the present value of such loan discounted at a rate equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced;

(B) one hundred percent (100%) of the amount of interest for one year on the outstanding principal balance of such loan, loan

advance, or any portion thereof being refinanced, multiplied by the ratio which—

(i) the number of quarterly payment dates between the refinancing date and the maturity date of the loan advance, bears to—

(ii) the number of quarterly payment dates between the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced and the maturity date of such loan advance;

(C) one hundred percent (100%) of the amount of interest for one year on the outstanding principal balance of such loan, loan advance, or any portion thereof being refinanced, plus, for the interval between the date of the refinancing and the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced, the present value of the difference between each payment scheduled for such interval on such loan amount being refinanced and the payment amounts that would be required during such interval on the amount being refinanced if the interest rate on the loan were equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced.

(2) LIMITATION.—The penalty provided by section (b)(1)(A) shall be required for a refinancing under this section except that in the case of a loan advanced under an agreement executed before 1984 which permits the repayment or refinancing of such loan advance based on the payment of one year of interest on the outstanding principal balance of such loan advance, a borrower may, in lieu of the penalty required by section (b)(1)(A), pay a penalty as provided by—

(A) section (b)(1)(B) if such loan advance has reached the twelve year maturity required under such loan agreement for such prepayment or refinancing;

(B) section (b)(1)(C) if such loan advance has not reached the twelve year maturity required under such loan agreement for such prepayment or refinancing.

(3) FINANCING OF PENALTY.—A borrower may at its option meet the penalty requirements of paragraph (1) by either making a payment in the amount of such required penalty at the time of such refinancing or by increasing the outstanding principal balance of the loan advance that is being refinanced under this section by the amount of such penalty. If a borrower meets the penalty requirements of paragraph (1) by increasing the outstanding principal balance of the loan advance that is being refinanced, the borrower shall make a payment at the time of such refinancing equal to 2.5 percent of the amount of such penalty that is added to the outstanding principal balance of such loan.

(c) LOAN TERMS AND CONDITIONS AFTER REFINANCING.—

(1) IN GENERAL.—Upon the payment of a penalty as provided by subsection (b), the loan, loan advance, or any portion thereof shall be refinanced at the interest rate described in paragraph (2) for the term or terms selected by the borrower pursuant to paragraph (3).

(2) INTEREST RATE.—The interest rate on a loan refinanced under this section shall be determined to be equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the term selected by the borrower pursuant to paragraph (3), but the interest rate on such a refinanced loan shall not exceed 7 percent.

(3) LOAN TERM.—Subject to paragraph (4), the borrower of a loan that is refinanced

under this section shall select the term for which an interest rate shall be determined pursuant to paragraph (2), and at the end of the term (and any succeeding term selected by the borrower under this paragraph), may renew the loan for another term selected by the borrower.

(4) MAXIMUM TERM.—The borrower may not select a term pursuant to paragraph (3) that ends after the maturity date set for such loan before its refinancing under this section.

(5) EXISTING LOAN.—The refinancing of a loan pursuant to this section and the inclusion of a penalty in the outstanding principal balance of such refinanced loan, pursuant to paragraph (3), shall not, notwithstanding any other provision of law, be considered the making of a new loan, new loan guarantee or other new credit activity, nor shall refinancing be subject to appropriations or limited by the amount provided during a fiscal year for new loans, loan guarantees or other credit activity, nor may the request of a borrower for such refinancing under this section be denied.

Mr. BUMPERS. Mr. President, this second-degree amendment—let me explain just briefly once again the Domenici-Lugar amendment gives the rural electrification cooperatives the privilege of refinancing their loans. Many of these loans were negotiated by REA cooperatives at a time when interest rates were very high in this country, and they carry a penalty for paying them off.

The Domenici amendment does not forgo the penalty. It simply gives them a right to refinance, but it also involves refinancing of the penalty.

It is just like refinancing a home. Everybody in the country is refinancing their homes these days.

My second-degree amendment differs from the Domenici amendment in this way: His amendment would only allow refinancing of those loans which were made prior to 1983. And my amendment says if you are going to extend this privilege to people who made loans prior to 1983, extend them to everybody, because it does not score. There is no cost to the Government, and we have CBO's statement that neither of these amendments carry any cost to the Government.

What it does do is just like everybody else it may extend the loan a little longer period of time at a lower interest rate right now but it also carries the penalty that is provided for in their loan contracts.

So, Mr. President, I understood that a Senator from the other side of the aisle objected to a small part of the amendment, and I will let Senator COCHRAN address that now.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we appreciate very much the Senator from Arkansas explaining the second-degree amendment as he has. We have been advised that while there are some concerns with certain provisions of the second-degree amendment, we feel confident that differences can be—and

probably should be—resolved in conference.

The amendment originally offered by Senator DOMENICI seeks to provide a new opportunity to REA cooperatives and borrowers to take advantage of lower interest rate opportunities that exist for many of them as they do for those who have long-term loans at this time.

So, it is the hope on this side of the aisle that the provisions in the language relating to that issue can be resolved in such a way as to permit borrowers to refinance without any extra cost to the Government being incurred.

We can remember in previous years that we tried to provide this kind of opportunity. But periodically, we have had objections because of the long-term cost to the Government. But I think these issues can now be reconciled and resolved in a way that will benefit both REA borrowers and still protect the Government's interest in these loans.

We are going to recommend on this side of the aisle that the amendment and the amendment to the Domenici amendment be agreed to and we take this issue to the conference.

The PRESIDING OFFICER. Do the Senators yield back all their time?

Mr. BUMPERS. Mr. President, I yield back the remainder of my time.

Mr. COCHRAN. Mr. President, we are advised no other Senators seek recognition. We are prepared to yield back and do yield back all time on the amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment (No. 665) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 648, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the amendment, as amended, of the Senator from New Mexico.

The amendment (No. 648), as amended, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I rise in support of the Agriculture, Rural Development, and Related Agencies appropriations bill as reported by the Senate Appropriations Committee.

The Senate-reported bill totals \$59 billion in budget authority and \$49 billion in outlays for fiscal year 1994 when outlays from prior-year budget authority and other completed actions and adjustments are taken into account.

This will be the second appropriations bill that is taken up by the Senate.

I have found that this appropriations bill includes duplicate savings to those that are in the Senate-passed reconciliation bill.

The appropriations bill saves \$33.3 million for the Conservation Reserve/Wetlands Program, \$13.7 million for crop insurance, and \$62.5 million for the Market Promotion Program, totaling \$109.5 million.

The Senate reconciliation bill saves \$18 million for the Conservation Reserve/Wetlands Program, \$14 million for crop insurance, and \$45 million for the Market Promotion Program, totaling \$77 million.

The House bill saves \$18 million for the Conservation Reserve/Wetlands Program, and \$26 million for the Market Promotion Program, totaling \$44 million.

Both the appropriations and authorizing committees will be scored with duplicate savings until either the appropriations bill or reconciliation bill is enacted.

My Senate Budget Committee staff will keep track of the duplicate savings.

I recognize the difficulty of bringing this bill to the floor under its 602(b) allocation.

I commend the distinguished subcommittee chairman and ranking member for their support of \$3.2 billion for the WIC Program, an increase of \$353 million over 1993 levels.

I appreciate the subcommittee's support for a number of ongoing projects and programs important to my home State of New Mexico as it has worked to keep the bill within its allocation.

I urge the adoption of the bill.

SCRAPIE

Mr. BENNETT. Mr. President, I want to briefly bring to the attention of the Senate an important issue in animal health.

Scrapie, transmissible spongiform encephalopathy of sheep, is an untreatable, long-incubation infectious disease of the central nervous system of sheep and goats. Scientific investigation has associated Scrapie with other diseases of animals and man.

I understand that at this time, very little is known about the natural mode of Scrapie transmission. The regulation and eventual eradication of this disease depends on our knowledge of how and when Scrapie is transmitted. More information must be generated on the transmission and infection of natural Scrapie in sheep.

Although funding was not included in this legislation for funding to study Scrapie, I am hopeful that the Department of Agriculture will seriously consider funding, through competitive grant, studies that will answer the many unanswered questions about the disease transmission. The central and

eventual eradication of Scrapie in the United States is a worthy goal.

AMENDMENT NO. 666

(Purpose: To restrict the use of funds made available by this act to carry out distance learning and medical link programs)

Mr. COCHRAN. Mr. President, on behalf of the distinguished Senator from Wyoming [Mr. SIMPSON] I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. SIMPSON, proposes an amendment numbered 666.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 60, line 15, before the period, insert the following: "Provided, That none of the funds appropriated or otherwise made available by this Act for the programs authorized by chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.) may be used by the Administrator of the Rural Electrification Administration to carry out the programs unless, prior to allocating funds to carry out the programs, the Administrator consults with the Secretary of Education and the Secretary of Health and Human Services, acting through the Director of the Office of Rural Health Policy, concerning the review of applications to participate in the programs and the administration of the programs".

Mr. COCHRAN. Mr. President, this amendment deals with a program under the REA authority for distance learning, a rural development initiative, and suggests consultation is appropriate under this program with the Secretary of Education and the Secretary of Health and Human Services.

Mr. SIMPSON. Mr. President, I rise to offer an amendment that would restrict the use of funds made available by the Rural Electrification Act for distance learning and medical linkup programs.

I have watched this program bloom from zero funding in 1990 to the recommended level of \$10 million in fiscal 1994. This is just another example of the expansion of the Rural Electrification Administration [REA] into non-utility programs. I can understand the merits of the program. However, I strongly object to the REA administering a program in which it has no expertise.

The amendment would require that the REA Administrator consult with the Secretary of Education and the Secretary of Health and Human Services, acting through the Director of the Office of Rural Health Policy, regarding the review of applications to participate in these programs. Consultations with the departments that have this specific expertise will best meet the needs of rural America.

Let's discuss health care for a moment. Rural health care is experiencing a renaissance of interest in the Congress. The last few years have witnessed an alarming number of hospital closures in rural areas, the loss of physicians to more sophisticated and profitable urban centers, and a shrinking pool of allied health and community service professionals in virtually every field. At the same time, the population of rural America is growing older—requiring more higher levels of service.

Mrs. Clinton and the President's health task force have devoted a great deal of time and resources to examining the rural health care situation. Rural health care will be a major component of the President's health care plan. The Senate Republicans have also focused on the health care problems of rural America during our deliberations on health care reform.

Our current challenge is to craft public policy which is appropriate to all rural and frontier regions. Most importantly, public policy should not be legislated in a vacuum. The rural health care delivery system has become very fragmented over the past years.

This is substantially due to the fact that legislators with good intentions have written policies without considering existing programs or without considering the ramifications of instituting such policies. This is especially dangerous in health care policy. That is why I am so concerned with the Medical Linkup Program that has been authorized by the Agriculture Committee.

There is already in existence an Office of Rural Health Policy at the Department of Health and Human Services. This is the office that should have oversight for the Medical Linkup Program. This office has the knowledge and expertise on rural health care. The Agriculture Committee does not have the high degree of expertise on health care issues that is needed to develop and oversee such a program.

The same rationale is applicable to the education linkup side of this program. The Department of Education has the expertise to critically review applications for funding and to ensure that the priorities of the proposed program meet the needs of schools in rural areas.

Finally, returning to health care, many of us on Capitol Hill and in the administration are exploring the concept of managed competition in health care reform. This type of plan would increase the level of competition in the health care marketplace—something that is greatly needed. The whole idea of managed competition is that health care remain in the private sector—but with Government involvement to help control costs and to help ensure access to quality health care.

This is the type of competition that is missing from the Medical Linkup

Program. Instead of funding State specific medical linkup programs, States willing to develop medical linkup programs should have the option to apply for Federal moneys based upon a certain set of criteria. We need competition in every aspect of the health care system including these linkup programs. In addition, these programs should be developed as a part of health care system reform and should not be done in a vacuum without giving thought to how they will fit into the entire health care delivery system.

The Rural Electrification Administration is a utility agency and should be nothing else. They have expertise in telephone and electric utility infrastructure but not in reviewing the goals and benchmarks of health and education programs for rural areas.

I urge my fellow colleagues to support this amendment and thank my friend and colleague from Mississippi, THAD COCHRAN, for his support. I also thank the subcommittee chairman, Senator BUMPERS for his acceptance of my amendment.

Mr. COCHRAN. Mr. President, we urge approval of the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. Mr. President, there is no objection on this side of the aisle.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 666) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 667

Mr. COCHRAN. Mr. President, on behalf of the distinguished Senator from Montana [Mr. BURNS] I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk will read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. BURNS, proposes an amendment numbered 667.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

None of the funds in this Act shall be available to pay indirect costs of research (other than Small Business Innovation Research grants) awarded competitively by the Cooperative State Research Service that exceed 14 per centum of total direct costs under each award.

Mr. COCHRAN. Mr. President, the amendment of the Senator from Montana deals with a cap on a local project and program. We have not been able to get the amendment cleared in discus-

sion with the managers of the bill, but I had agreed to bring this amendment to the attention of the Senate. It does deal with a problem that is very real and should be addressed.

So the amendment is offered in behalf of the Senator from Montana.

Mr. BUMPERS. Mr. President, the Senator from Mississippi is indeed correct. We do have some objection on this side of the aisle to the amendment. It deals with indirect costs, essentially, on research grants. We think there should be constraints on those grants, so at this point we are constrained to object.

I hope the Senator from Montana would allow this amendment to be withdrawn so we can talk to him about it. It is something that is worthy of discussion, but I would be very reluctant—indeed, I find it unacceptable at this point—to agree to this amendment.

Mr. COCHRAN. Mr. President, in view of the statement of the Senator from Arkansas, I ask unanimous consent that the amendment be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 667) was withdrawn.

CANADIAN WHEAT SUBSIDIES

Mr. COCHRAN. Mr. President, the distinguished Senator from Montana [Mr. BURNS] suggests there is a study that should be done in connection with the wheat subsidies in Canada and the impact they have on American agriculture. There is a suggestion that Canadian wheat shipments that enter our markets are being subsidized. This is damaging to the U.S. economy, particularly to wheat producers.

I raise the issue with a request that it be considered by the Senate managers in conference and that some statement of the managers on this subject be included in a conference report. I encourage the Senate to urge that such a study be done and such a statement be made by the managers.

Mr. BUMPERS. Mr. President, I am quite sure we could work out some language in the conference report to satisfy the Senator from Montana. He is a very thoughtful Senator and very interested in wheat, obviously. I hope that we can work something out that will be amenable to the House, and certainly I will do my very best to do that.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator for his cooperation and his statement and assurance.

Mr. President, I know of no further amendments to be proposed under the unanimous-consent agreement on this side of the aisle, nor do I know of any Senators who wish to be heard on any issue under this bill.

I suggest that, if there are Senators who would like to have statements

made or amendments offered under the agreement, now is the time to speak or forever hold your peace. We are about to wrap up consideration of the amendments under the agreement.

Mr. COCHRAN. Mr. President, I am advised that in the adoption of the REA amendment which Senator BUMPERS proffered—the amendment by Senator LEAHY to the Domenici amendment—we should have asked unanimous consent that it be placed at the appropriate place in the bill, actually at the end of the bill. That was not stated when the amendment was proposed. I ask unanimous consent that the amendment so appear at the proper place in the bill, at the end of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, today there are some 3,500 acres of apple orchards in eastern Washington that have been prepared according to specifications laid out by the Japanese Government to our agriculture officials and apple industry representatives in February of last year. At that time, the Japanese had agreed to allow this year's crop into their market in January of next year. Since that time, the Japanese delayed a technical meeting for over 6 months and added new, questionable phytosanitary requirements—some of which may be impossible to fulfill. As a result, the Japanese now say that the crop of Washington State apples that were grown according to their specifications will not be allowed into the Japanese market this year. If this is the case, these apples can only be sold at a considerable loss.

This is not only the most recent of many incidences of Japanese protectionism against United States apples, but only one case similar to many experienced by other nations. In fact, in the 22 years since Japan opened its market to apples, only a small number of Korean apples, for a short period of time, have been admitted into Japan. Other countries have encountered the same series of time-consuming phytosanitary requirements accompanied by changes in Japanese deadlines and delayed meetings. And, as I mentioned, this is only the most recent instance of our apples growers' problems with Japan; our industry has been negotiating intensively with the Japanese for 8 years now. They export to 24 countries, none of whose phytosanitary requirements are as stringent as Japan's requirements.

Mr. President, to date the administration has been extremely helpful in seeking a resolution to this issue. Ambassador Kantor and Secretary Espy have written letters and personally raised the issue with Japanese officials. USDA technical experts have negotiated tirelessly with their Japanese counterparts, frequently over technical concerns that were scientifically unjustifiable. However, it's become clear

that the Japanese will not lower their ban unless further pressure is applied.

Earlier this month, the Northwest Fruit Exporters, an industry group representing the apple growers, asked that the Northwest Horticultural Council begin work drafting a section 301 complaint. While all concerned would prefer that this measure be avoided, I am convinced it is proper course for our apple growers, and the only way that they will win access to the Japanese market.

Today, I am offering an amendment, which has been agreed to by both sides, that expresses the sense of the Senate that Japan's phytosanitary requirements constitute an unnecessary trade barrier, and that the administration should continue work to remove it, including the initiation of a section 301 investigation. This measure will relay to the Japanese our seriousness over this issue, and encourage the United States Trade Representative's office to continue its exemplary work on this issue.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, as far as I am concerned, we are ready to go to third reading.

The PRESIDING OFFICER. Are there further amendments?

If not, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

Mr. BUMPERS. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

MORNING BUSINESS

Mr. BUMPERS. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAUL KASSOUF'S INVESTITURE AS A KNIGHT COMMANDER IN THE ORDER OF ST. GREGORY

Mr. HEFLIN. Mr. President, I am proud to congratulate a long-time friend, Paul Kassouf, upon the occasion of his investiture in the Order of St. Gregory. Paul was formally invested as a Knight Commander on May 8 of this year by Archbishop Francis M. Zayek, head of the Diocese of St. Maron, United States of America. The ceremony took place at Saint Elias Maronite Church, where Paul is a member.

This award is a papal equestrian honor bestowed by the Pope. It recog-

nizes Paul's outstanding and dedicated service to his family, church, and community.

Born in Birmingham, Paul still resides there and is chairman of the board of the L. Paul Kassouf & Co. Professional Corp. He has enjoyed a long and successful career as a certified public accountant, and serves as a true leader in the field of accountancy. Paul and I attended Birmingham-Southern College together, and we currently sit on the school's board of trustees.

Last year, I had the pleasure of attending the golden anniversary celebration of Paul and his wife Naomi. That was a particularly special experience for me, since I was a member of their wedding party in 1942.

I know Naomi, their 4 children, and 11 grandchildren are extremely proud of Paul for receiving this prestigious distinction. I share their pride in commending him on such a high honor.

IN MEMORY OF JAMES D. BENNETT, A PIONEER FOR CIVIL RIGHTS

Mr. HARKIN. Mr. President, America recently lost one of its pioneers in the fight for equality for the 43 million Americans with disabilities. I was greatly saddened to learn of the recent death of James D. Bennett, who directed the Department of Justice's technical assistance program under the Americans With Disabilities Act. Jim shared my vision of a society where Americans with disabilities can live, learn, work, and play side by side with all Americans. Jim was a passionate civil rights advocate whose commitment to his work was total. Jim was incredibly talented: a master of grand ideas and the master of the hundreds of details that made these ideas a reality. His successes were numerous.

His efforts on behalf of people with disabilities began long before the passage of the ADA. During the 1970's at the Department of Health, Education, and Welfare, Jim's creative efforts defined the concept of technical assistance for the disability rights movement. He designed and then he implemented a multimillion-dollar technical assistance program for section 504 of the Rehabilitation Act of 1973, the first Federal civil rights legislation protecting people with disabilities from discrimination. Jim's efforts played a critical role in opening up the doors of elementary, secondary, and post-secondary education to students with disabilities across America. His program also was a key training ground for scores of men and women with disabilities who later became the leaders of the movement to enact the ADA.

During the 1980's, he spearheaded the Department of Justice's work on self-evaluation plans for the programs of all Federal agencies in order to make the Federal Government truly open to

all persons with disabilities. Jim had a passionate love and respect for nature. Through his leadership, the Department of Justice and the National Park Service worked together to open this Nation's natural treasures to countless individuals with disabilities and their families. He launched the Department of Justice's own section 504 self-evaluation program—spreading good will and accessibility all across the Department—from the FBI training academy to the Great Hall of the Main Justice Building.

But all of these successes in the late 1970's and early 1980's were a mere prologue to his efforts on the landmark Americans With Disabilities Act, the most comprehensive civil rights law even enacted by Congress. I believe that the ADA is truly the Emancipation Proclamation for the more than 43 million people with disabilities. Jim understood that the promises of this historic law would only become a reality if a massive public education effort was undertaken to inform the public of its new rights and responsibilities. Jim was a true visionary. Creative ideas were for him the norm, not the exception. His efforts included the first nationwide TDD-accessible ADA information line that has answered over a quarter-million inquiries, a panoply of brochures and pamphlets, a distribution network that has sent out over 2 million ADA documents, an electronic bulletin board that has revolutionized access to information especially for persons requiring Braille or large-print formats, a technical assistance grant program that has tapped the information networks of the business and disabilities communities and brought them together in cooperative partnerships. He also worked tirelessly with the Equal Employment Opportunity Commission and the National Institute for Disability Rehabilitation and Research to make the Federal Government's technical assistance efforts consistent and effective Government-wide.

The common thread in Jim's work was his selflessness, his desire to ensure that the discrimination and barriers that he faced would not endure; that men, women, and children with disabilities would have the chance to enjoy all the opportunities that life in this country has to offer; and that our society would be able to grow and benefit from the riches and talents that persons with disabilities can provide.

Although we will deeply miss him, we and generations to come have been immeasurably enriched by Jim's deep commitment and his pioneering work.

THE REBUILDING OF BRENT, AL

Mr. HEFLIN. Mr. President, I have on occasion had the opportunity during my frequent trips home to Alabama to visit the city of Brent, a living symbol

of the cherished can-do spirit that helped build America. The citizens of Brent recently held a 20th-anniversary celebration.

This was a unique celebration, for Brent was not celebrating the 20th anniversary of its being built, but of its being rebuilt. On May 27, 1973, 20 years before the recent ceremonies, Brent was almost completely destroyed by a tornado.

That day, which I remember well, was a particularly destructive one for the whole State of Alabama and much of the country as several tornadoes struck many areas. In Alabama, 8 people died, 200 were injured, and millions of dollars' worth of damage occurred. The twister that hit Brent was one of the most damaging that Alabama has ever seen. It took an extraordinarily long 135-mile track across the State, and of the eight people who died that day, five were from Brent.

Brent fought its way back to become the largest town in Bibb County, located in the central part of the State. Over the last 20 years, the people of Brent have persevered and demonstrated great determination, community pride, and dedication.

The tornado which devastated Brent hit on a Sunday evening. Many of the towns people were at their evening worship services. About 150 took refuge in the basement of the First Baptist Church. After the ferocious storm swept past the city, citizens immediately began clearing debris from the streets to make way for emergency vehicles. That was the beginning of the town's reconstruction.

As we know, when a tragedy of this magnitude occurs, it is very difficult for any town to recover. But Brent has not only recovered and rebuilt, it has prospered and grown since that dark day back in May 1973. It was that recovery and growth that Brent celebrated just a few weeks ago.

Mr. President, I share the people of Brent's pride in their efforts over the last two decades. I am pleased to commend them for their tremendous sense of community pride. They stand as a shining example to the many communities who have in the past or will in the future be forced to deal with unexpected natural disasters.

RETIREMENT OF MAJ. GEN. DONALD G. HARD

Mr. NUNN. Mr. President, I want to take this opportunity to congratulate Maj. Gen. Donald G. Hard of the U.S. Air Force on the occasion of his upcoming retirement on August 1, 1993.

General Hard will be retiring with more than 31 years of distinguished service to his country. In his present position as director of space programs for the Air Force, he has appeared before the Armed Services Committee a number of times.

General Hard was born September 6, 1940, in Sunderland, VT, where he graduated from high school in 1958. He entered the U.S. Naval Academy's class of 1962, and according to Air Force colleagues had the vision and presence of mind to be commissioned an Air Force officer.

After graduate studies at the University of Illinois, he began his space career serving in the Dyna-Soar and the manned orbiting laboratory programs. Then he was selected to attend undergraduate pilot training and became qualified as a C-130 pilot. He was assigned to the 776th Tactical Airlift Squadron at Ching Chuan Kang Air Base, Taiwan, and flew many missions in Southeast Asia.

In 1969, General Hard was assigned to the 6594th Test Group at Hickam Air Force Base where he combined his knowledge of early space systems and his piloting skills in the recovery of space payloads. Subsequently, he served at Sunnyside and Los Angeles Air Force Stations in California in space operations. He returned to the C-130 cockpit in 1978 at Yokota Air Force Base in Japan, serving as assistant operations officer for the 345th Tactical Airlift Squadron and later as deputy commander for operations with the 316th Tactical Airlift Group.

In 1980, General Hard returned to the space world and worked security and policy issues associated with the use of the space shuttle for launch of national security payloads. Then he returned to Hickam AFB to command the 6594th Test Group, followed by a tour as commander of the Air Force Satellite Control Facility at Sunnyside, CA. He returned to Los Angeles, working as director of launch vehicle acquisition and as deputy director of special projects.

He relocated to the Pentagon in 1987, serving first as director of space systems, Office of the Secretary of the Air Force, then as deputy director of operations in the Office of the Deputy Chief of Staff, Plans and Operations, HQ USAF, and finally as the director of space programs, Office of the Assistant Secretary of the Air Force for Acquisition.

During General Hard's long and distinguished career, he has served both the air and space communities with rare talents and outstanding performance. He knows both operations and acquisition and has been at the forefront of transitioning our space programs from the research and development world to fully operational systems. He has been an articulate spokesman for the value of space technologies and space capabilities in modern warfare for which we owe him our debt of gratitude.

I want to congratulate General Hard for his outstanding career of service to the country. I know my colleagues join me in wishing General Hard continued

success in the future and extending best wishes to him and his wife, June.

SIoux FALLS, THE MOST POPULAR DESTINATION IN AMERICA

Mr. PRESSLER. Mr. President, today I have the pleasure of congratulating the city of Sioux Falls, SD. Once again, this fine city on the plains has received national recognition. Recently, Ryder Consumer Truck Rental rated Sioux Falls the Nation's No. 1 destination.

Ryder's No. 1 rating of Sioux Falls is based on a survey among cities with a population above 100,000. The rating is based on the ratio of people moving in compared to those moving out over the period of January to June of this year. Sioux Falls was so popular that more than two-thirds as many people moved into the city as moved away. For every 100 families that left the city, an additional 168 families from around the country were drawn in.

It is not surprising that Sioux Falls is ranked as the Nation's most popular destination. The city has many remarkable attributes. The quality of life is exceptional. It has a clean environment and a low crime rate. Its cost of living is below the national average. Its economy is one of the most varied and vibrant economies in the Nation, boosted by relatively low city taxes and no State corporate or personal income taxes. Most important of all are its people. Sioux Falls is a city of 123,000 friendly, honest, hard-working people. They are the reason the city is so popular, and they are the secret to the city's quality of life.

The Ryder survey is not the first survey to find Sioux Falls the best. The September 1992 Money magazine named it the best place to live in America. Today, thousands of people, as they move, are finding out for themselves what Money magazine and Ryder Truck Rental Co. already have discovered: Sioux Falls is one of our Nation's great cities and one of America's best kept secrets.

Mr. President, I ask unanimous consent that an article regarding Sioux Falls' No. 1 destination rating by the Ryder Co. be printed in the RECORD immediately following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RYDER RATES SIoux FALLS No. 1 AS PLACE TO MOVE

(By Anne-Marie Otey)

A national trend of moving from larger cities to relatively smaller ones helped make Sioux Falls the country's most popular place to move in the first half of 1993, a survey says.

Ryder Consumer Truck Rental rated Sioux Falls No. 1 for moves from January to June, with 168 households arriving for every 100 that left the city. The survey of metro areas with populations greater than 100,000 is based on census data and inquiries to Ryder's rental centers.

Mike and Mary McNulty moved to Sioux Falls from Sacramento, Calif., two weeks ago with their daughter, Maggie.

"We're very happy to be here," Mike McNulty, a technical program manager for Intel, said Tuesday. "Once we get settled, we want to contribute a little bit to the community. We plan to make this a permanent move."

The McNultys are one of many families leaving the East and West coasts. Mike McNulty is a New York native and his wife is from Nebraska.

He said they moved mainly for his job but also because they didn't want to stay in California.

"The socioeconomic problems didn't appeal to us as much," he said. "The people here are much friendlier and more sincere."

Jobs and quality of life are the main reasons people move, and they can find those in Sioux Falls, said Dave Dawson, Ryder's public relations director in Miami.

"People are relocating to places they find more palatable: less traffic, better schools, a lower cost of living, nicer amenities," he said.

Steve Metli, the city's planning director, said the survey shows that Sioux Falls is keeping the popularity it gained last year after being named the No. 1 place to live in the United States by Money magazine.

People still find a reason to move away, though, said Don Blumhoff, owner of Kedney Moving. He sees a 50-50 ratio of newcomers to those leaving.

"There are a lot going out, too—retirements, corporate moves, times when you have to move," Blumhoff said.

The city faces a challenge of finding housing for newcomers, said Evan Nolte, president of the Sioux Falls Area Chamber of Commerce. Some might have to live outside the town, he said.

"People are beginning to realize we have a greater interdependence, in the Sioux Falls area, with Lincoln County. Some areas will develop in smaller communities as this growth continues."

Harold and Doris Slinden found a tight real estate market when they moved here from Aberdeen a month ago.

"The real estate people told us, 'You don't want to wait too long if that's the house you want,'" Doris Slinden said. In contrast, it took them several months to sell their Aberdeen home.

The family of five moved to Sioux Falls when Harold Slinden got a job as manager of a machinery company.

Doris Slinden said they won't live in a city bigger than Sioux Falls.

"This is a comfortable-sized city," she said. "It's very quiet in the evening."

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at \$4,340,981,032,082.67 as of the close of business on Thursday, July 22. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is \$16,900.25.

THE FUTURE OF THE AMERICAN WORKPLACE

Mrs. KASSEBAUM. Mr. President, today the President will convene a conference in Chicago to discuss the future

of the American workplace. The subject is an important one, since our work force faces new and significant challenges in a globally competitive marketplace.

The conference will focus on high-performance workplaces. Participants will discuss innovative work practices, including employee empowerment, in order to encourage these practices throughout the private sector.

These are laudable goals, Mr. President. But the administration's legislative policies belie its stated intent to improve the quality of our Nation's workplace. In fact, the administration's current stand on critical workplace issues is not only contradictory, but may very well thwart existing efforts for innovation in the American workplace.

For example, the Secretary of Labor continues to support legislation to ban the hiring of permanent striker replacements. By diminishing incentives for labor and management to resolve their differences, this legislation will promote labor disputes and workplace discord—the exact opposite of labor/management cooperation.

Nevertheless, the administration persists in supporting this flawed legislation. It does so in spite of overwhelming and unified opposition from the business community and, I might say, among the majority of the American people as well. If our Nation's newspapers are any indication, well over 100 editorials have been written in opposition to S. 55.

I will not submit them all for the RECORD, but I would like to submit representative editorials—one which appeared recently in the Washington Post and one from the Kansas City Star.

Mr. President, opposition to this legislation is also bipartisan. I also submit for the RECORD an op-ed piece written by Senator HOLLINGS. In it, he says:

To meet [the] international challenge, employers and employees need to realize they are fighting on the same team—the American team. We need a new vision of labor-management harmony and cooperation that will allow us to compete and win. What we don't need is a striker replacement bill that will cause more strikes, more strife, and more flight by U.S. firms to distant shores.

While promoting workplace divisiveness through S. 55, the administration has also failed to correct the principal legal obstacle to workplace innovation and cooperation. Two recent decisions, *Electromation* and *DuPont*, invalidated two employee involvement programs and thereby jeopardized all such programs.

Mr. President, there is widespread agreement that employee involvement is critical to the future of the American workplace. Businesses are realizing that their workers hold the key to improving quality, productivity, and efficiency in the workplace. And yet, the use of innovative programs to en-

courage worker involvement has been severely set back by these decisions.

In both cases, the National Labor Relations Board interpreted Federal labor law to assume that the interests of workers and management are adverse to each other. To overturn these decisions and assure that workers and management can work together, I introduced, along with several of my colleagues, the Teamwork for Employees And Management [TEAM] Act, S. 669.

To date, the administration has failed to take a position on this critical issue. Secretary Reich acknowledges the decisions present a problem, but has delegated the issue to his Labor Reform Commission, which will make no recommendations until next summer. In the meantime, companies are either dismantling beneficial, employee-involvement programs or left to ponder whether they are violating Federal labor law.

Monday's conference, and ones scheduled to follow, will discuss the issue, but no action will be taken. Frankly, we have had enough commissions, conferences, and discussions on this matter. The time has come for action. If the administration is truly concerned about the future of the American workplace, it will stop talking about it and take some meaningful action.

I strongly urge the administration to reconsider its position on S. 55 and to support the Team Act. These two steps would go a long way to advance positive relationships in the workplace and to assure a healthy future for our work force.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 17, 1993]

A BAD LABOR BILL

The House has reflexively passed, at labor's behest, a bill to alter, unwisely, the balance of power in labor-management relations. The measure now goes to the Senate, where Republicans plus some resisting Democrats may be in a better position to sidetrack it. We hope they do. This is wrong-headed legislation that in its present meat-and-potatoes form would do more economic harm than good and ought not pass.

The bill would strip employers of the right to hire permanent replacements when workers strike over economic issues. (Different rules apply when strikes are over unfair labor practices.) Organized labor says that the hiring ban is necessary to protect a threatened right to strike and to restore a balance lost in labor-management law and relations in recent years. But in fact the objective is broader.

For a generation, organized labor has been losing membership and ground much less for legal than for international economic reasons. It wants to make up that ground and believes the change in labor law would help it do so. But that's not what labor law is for, and this legislation goes too far.

The law is now ambivalent; it has been for more than 50 years. The ambivalence may be a virtue for the mutual deterrence it provides. The National Labor Relations Act declared in 1935 that strikers could not be

fired. The Supreme Court nonetheless said in 1938 that employers were free to hire permanent replacements, and the court has maintained that position since. For years the contradiction really came into play and wasn't a major issue. Lately it has been. Labor says there has been more use of permanent replacements than in earlier eras. The data on that are ragged, but certainly there has been more visible use in a number of celebrated cases. The issue has thus become a political symbol for both sides.

Labor law always walks a fine line. The goal is to keep collective bargaining fair without determining its outcomes—but of course for each side "fair" in part depends on outcomes. The unions are right that on occasion in recent years the power to hire permanent replacements has been abused to circumvent collective bargaining. If Congress can write a law that will bar abuses and no more—not an easy task—by all means it should. But to bar the hiring of such replacements entirely is also wrong. Occasions arise when a company ought to have the power to hire replacements; one such occasion arose in the 1970s in this newspaper's own dealings with one of its unions.

The bill the House has passed in the name of balancing labor law would tilt it instead. It ought to be greatly narrowed; if it can't be narrowed, it ought to be killed.

[From the Kansas City Star, Dec. 26, 1992]

COMPANY BUSTING

The first steps are already being taken in what will be one of the biggest legislative battles of the next Congress. Ohio Sen. Howard Metzenbaum plans to reintroduce a bill prohibiting companies from replacing striking workers.

In June, a similar measure nearly cleared the Senate despite the threat of a veto by President Bush. Now the equation has changed dramatically, because President-elect Clinton says he's in favor of a striker-replacement ban. This ill-considered time bomb may actually become law.

If so, it would be one of the most irresponsible acts of the modern Congress. It could radically tilt the balance toward unions, which would then have the power to tell employers: Settle on our terms or be destroyed.

The long-term damage a striker-replacement law would do to this country's competitiveness is beyond calculation, but the scope is suggested by a recent story in *The Wall Street Journal*.

The story detailed how productivity improvements by many companies have allowed workers to remain internationally competitive, even against many low-wage, Third World countries.

At Birmingham Steel Corp., for example a company spokesman said it didn't matter if foreign labor costs were "zero." His company could beat them, because investment and innovation had reduced per-ton labor costs below what foreigners pay to ship to the United States.

If organized labor is given the leverage to push up wages faster than productivity, it will surely use that leverage. If companies can never replace employees who refuse to work, unions will steadily undermine the very trends that are erasing America's labor disadvantage relative to developing countries.

Organized labor cannot have it both ways. It is inconsistent to complain that jobs are moving offshore, and then lobby for measures that will, over time, undermine the course that makes American workers more productive. If a striker-replacement ban be-

comes law, it will increase the incentive of employers to move work to overseas labor markets that are more flexible—and less hostile.

STRIKER REPLACEMENT BAN WOULD HURT WORKERS

(By Senator Fritz Hollings)

The U.S. House recently passed labor legislation that's bad for business and bad for labor, too. The "striker replacement" bill would strip businesses of the option to hire permanent replacements when workers go on strike. Supporters say the bill would restore employees "right to strike." In truth, its purpose is to stack the deck in favor of unions in future contract negotiations.

For half a century, U.S. labor laws have kept a painstaking balance between the interests of employers and employees. Think of it as a balance of power: workers have the right to strike for higher pay and benefits; employers have the right to respond by hiring replacements.

The striker replacement ban would destroy this delicate balance. Stripped of their most potent defense—the right to hire replacements for striking workers—businesses would have to pick their poison: either capitulate to union demands, or shut down operations and risk catastrophic financial losses.

Big labor is salivating at the prospect of gaining the upper hand in future contract talks. But the striker replacement bill is a snake that would come back to bite America's workers.

By handing a decisive advantage to unions, this bill would encourage a wave of new strikes and labor-management conflict. This would cost jobs in two big ways. If U.S. companies are forced to give in to excessive union demands, they will become less competitive in the global marketplace. Other companies will simply get fed up and move their operations to Mexico and other more favorable labor environments.

For all these reasons, I will work to kill the striker replacement bill in the Senate. For four decades in public life, I have fought to create a business climate in South Carolina that is pro-growth and hospitable to business. In the state legislature in the 1950's, I authored our state's right-to-work law. As Governor and Senator, I have repeatedly fought those who would overturn right-to-work laws at either the state or federal level.

This misbegotten striker replacement bill will not cure what ails America's wage earners. Yes, working people are hurting. Average wages have fallen steadily since 1973. But this is not because Ebenezer Scrooge has taken over the corporate board room. The real culprit is the dog-eat-dog global economic competition that increasingly pits U.S. workers against foreign labor earning \$1 an hour.

To meet this international challenge, employers and employees need to realize they are fighting on the same team—the American team. We need a new vision of labor-management harmony and cooperation that will allow us to compete and win. What we don't need is a striker replacement bill that will cause more strikes, more strife, and more flight by U.S. firms to distant shores.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BREAUX). Without objection, it is so ordered.

THE PRESIDENT'S ECONOMIC PACKAGE

Mr. DOLE. Mr. President, I just read a report on the President's visit to Chicago today, in which he continues to blame Republicans for everything that has happened in America for the past 12 years and everything that has not happened in the first 6 months of this year. He ticked off examples of what he said were Republican delays. He starts with the new national service program, \$10.8 billion the President requested for this program. It does not really do that much for very many young people. It makes no distinction between children from wealthy families or others who might really need the opportunity. Anyone can qualify for the \$5,000 a year stipend, I guess it is called.

We believe there is an opportunity to work that problem out with the President, and there are a number of amendments we would like to see added to that bill.

But, again, I would say, whether it is that or whether it is the economic package—there cannot be any filibuster there because the law prescribes how many hours we have to debate. The great majority of Americans would like to have a filibuster. They would like to see some gridlock, because they do not want to see this big, big tax package passed.

The President was saying just the day before yesterday—and I noticed his administration people on talk shows yesterday. The Secretary of Treasury and the Under Secretary were talking about all the new jobs that are going to be created by this new tax bill, which the President calls his economic package.

They are claiming 8 million new jobs in the next 5 years if we pass this package. Now, in January the Congressional Budget Office said—this is the office the President told us to listen to carefully and take their figures—if nothing was done as far as an economic package is concerned, we would gain 9.4 million jobs over the next 5 years. So, apparently, by passing the President's plan, we lose 1.5 million jobs.

So it is difficult for me to see that the President has any credibility on this issue when the Congressional Budget Office, the one giving us all the figures now on the economic package, told us in January, if nothing is done, there would be 9.5 million new jobs created, and the President is saying, if you pass my package, we will create 8 million jobs, which the last time I checked was a loss of 1.4, 1.5 million jobs.

When the President is out attacking Republicans across the country, I notice he never mentions the Democratic

Congress. He talks about Republican Presidents for the past 12 years. In all of those 12 years, the Democrats controlled the House of Representatives. In fact, they have controlled the House of Representatives, if you believe, for 40 years. And they have controlled the Senate 32 out of 40 years. They have controlled the Senate 6 out of the 12 years of Ronald Reagan and George Bush as President.

So we are willing to debate any issue with the President of the United States, but he has to stick to the facts. And he has to mention the Democrats were in charge. No President of the United States, Democrat or Republican, can spend one dime more than the Congress appropriates.

I must say, if the President wants to criticize President Reagan and President Bush and their administrations, then to be fair—and I am certain the President wants to be fair—he ought to mention the fact that the Democrats controlled the House each 1 of those 12 years and they controlled the Senate 6 out of the 12 years.

Now, the story ends with probably the real key. Tonight, the President is going to attend a big fundraiser in Chicago. Maybe that is the kind of job we ought to be talking about. He is going to go out and raise a lot of money for the Democratic Party, and the fundraiser chairman, banker William Daly, is going to be named as the North American Free-Trade Agreement representative, White House officials said today.

So I guess the purpose of the trip to Chicago was a jobs conference, or maybe it was the fundraiser. I guess it makes a difference on who pays, depending on how it is categorized, whether it is paid for by the taxpayers or by the Democratic National Committee.

I would just remind the President again that we are here prepared to help. We are prepared to help on the North American Free-Trade Agreement. We believe every day we wait it is going to be more and more difficult to get a majority in the House and the Senate for the North American Free-Trade Agreement. We believe it means jobs for America, opportunities for America, and it seems to me it is something we ought to be taking up very quickly.

We also believe in deficit reduction, except we believe we ought to cut spending first. We do not believe in a package that is 2 to 1 taxes. It is not a \$500 billion deficit reduction package. It is closer to \$400 billion over the next 5 years, but it is mostly taxes. Again, I know the President wants to pass it because that is all there is. It is not fair to blame Republicans and say, "Where is your plan?" We had a plan, and it was criticized as we knew it would be criticized.

But if this package were to fail—in the view of this Senator, it is not the

end of the world; it has happened before around here—then I believe there is an opportunity for bipartisan cooperation in dealing with the deficit in a real way, to reduce the deficit by cutting spending first and not by seeing how much in taxes the American people can absorb.

Keep in mind that 40 percent of the American people pay 90 percent of the Federal income taxes, and that most people who do not pay taxes see no reason why you should not pay taxes. If I do not have to pay taxes, why not raise taxes. Do not cut any spending program that might be helpful to me, but if I am not paying taxes, load it on my neighbor. Let my neighbor pay for all these programs.

I do not know how long we can continue that kind of class warfare, because the pot is going to get smaller and smaller. Today, it is 40 percent paying 90 percent of the Federal income tax. Who knows what it will be if we continue to try to tax our way into prosperity.

Also, keep in mind that small businessmen and small businesswomen are going to be the big losers in the Clinton tax package because 4 percent of the 21 million small businesses in America—4 percent—create 70 percent of the jobs. A lot of small businessmen and small businesswomen are sort of mom and pop operations. They will not be affected by new taxes. But that 4 percent—President Clinton said only 4 percent of businessmen and small businesswomen are going to pay more—they are the ones who create 70 percent of the new jobs in America.

Ask any small businessman or any small businesswoman anywhere in America what this tax package is going to do for them, and they will tell you very quickly it is not going to do anything in a positive way, and they are going to delay hiring any new people, expanding their business, until they know for certain the total impact the tax package might have.

So I just say finally to the President, we will do the best we can to cooperate, but we do not believe we are obligated to support every tax bill that comes up here just because the President of the United States believes it ought to be passed.

I am reminded again of what my colleague, the distinguished majority leader, said, I think it was February 8, 1992, that we do not live in a monarchy; the President is not a king.

At that time we were talking about President Bush's economic package. And the majority leader, Senator MITCHELL, properly stated that Congress has a role to play, too. If we have a disagreement and we do not believe that any President's package serves the national interest, we have a right to clarify it, amend it, or reject it.

So I would say to President Clinton he will have a lot of cooperation from

Republicans, notwithstanding his continuing bashing of Republicans in Congress. We are going to be out there helping you, Mr. President, in many, many areas when you will be looking for votes, and I hope you will find a majority of Republicans voting with you. But when we have a fundamental difference in philosophy, I do not believe it is fair to expect us to vote for any package that is all taxes, or the package called the National Service Act for which the President requested \$10.8 billion. That sort of underscores the tax and spend philosophy of this administration. They have a big tax bill in conference. We have a big spending bill on the Senate floor. That is tax and that is spend.

We would like to make some modifications to the bill that will be pending tomorrow morning. There will be a cloture vote at 10 o'clock. We hope cloture is not invoked. We hope, if it is not, we can sit down and work out some effective program that might really mean something when it comes to national service for America's young people.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator reserves the remainder of his time.

The Senator from Massachusetts.

NATIONAL SERVICE

Mr. KENNEDY. Mr. President, national service is a bipartisan issue because it relates to ideals which all Americans—Democrats and Republicans—know are important: Community, patriotism, responsibility, opportunity.

We have a history of bipartisanship on this issue. The 1990 National and Community Service Act was enacted with the strong bipartisan support of 78 Senators. This legislation builds on that act and has many of its same features: Service learning, full-time national service with educational awards, and a decentralized service program administered through grants to the States.

The national service bill currently under consideration, the 1993 National and Community Service Trust Act, deserves the same bipartisan support. The bill has Democratic and Republican cosponsors and was endorsed by all Democrats and a majority of the Republicans on the Senate Labor and Human Resources Committee.

Up until this point, the debate on the national service bill has been open and constructive. For 2½ days we have discussed the important issues, looking for opportunities to find further common ground and strengthen and improve the bill. We have accepted or agreed to accept 14 amendments already, almost all of them offered by Republicans.

These amendments have strengthened the bill in a number of ways:

By reducing the bill to a 3-year authorization so that Congress can revisit the question of how fast the programs should grow and what the final structure of the program should be;

Through having the Corporation for National and Community Service study questions relating to the need to provide for stipended service or post-service educational benefits to interest participants in serving; to see to what extent the national service program is opening up new opportunities for disadvantaged Americans; and to study how best to create an efficient and streamlined administrative structure for the program;

By ensuring that the program adequately sets priorities for national service programs so that the stipends and post-service educational awards can be tied to areas of greatest national need;

By including a provision to protect against any educational institution being able to raise educational fees as a result of the national service bill;

By limiting the living allowance to ensure that participants are not paid for more than 2 years of service;

By requiring the Corporation to deliver a business plan to Congress covering issues such as grant accountability and an appropriate high level management structure for the Corporation before any funds are distributed;

By authorizing a program for rural community service to ensure that rural areas can be adequately served through the program;

By reducing the role of the Corporation's representative on State Commissions for National and Community Service to ex officio, nonvoting status to ensure that there is Federal oversight of the State commissions but that this oversight is not intrusive;

By placing proper ceilings on administrative costs under the program;

By further clarification that there is no entitlement to participate in the national service program while at the same time ensuring that any participant who is accepted into the program will receive a post-service educational award;

By limiting any child care expenditures to participants who demonstrate their need for such assistance; and

By simplifying the application requirements for service learning programs to ensure that they are not overly burdensome.

All of these changes have made the bill stronger and more bipartisan. We must continue to make this a constructive debate on how this bill can be improved and bring the debate to a final vote. Americans want this program and Senators should vote for cloture so that we can vote on whether to enact this important initiative.

I am hopeful that Republicans will not seek to obstruct an initiative with

such broad public support as community service. We need to find ways to encourage citizens to work more effectively together to meet the challenges we face.

Earlier today, a rally in the Dirksen Senate Office Building, organized over the weekend in opposition to the proposed filibuster, drew close to 1,000 young people. Participants from Boston and many other cities could not understand why some are threatening to filibuster this measure. Hundreds of young people waited for hours in the hallways to hear the speakers.

At the rally, it was announced that 25,000 postcards have already been received from Americans who want the national service bill to be passed now.

Many of those at the rally were simply Americans who wanted to make a difference. Nicole Thomas, a young mother, noted that "it's strange how I am here today, because politics never really mattered to me before * * *." But she told the crowd that she was committed to national service because she wanted to make the world a better place for her daughter.

Adam Kreisel told the rally that "despite strong bipartisan support—this legislation is in grave danger." He said he "was outraged to learn that the Republican leadership has been pressuring Republican supporters of national service to break with their principles and join the filibuster. This is not just some political game; this is the future of the country. And we cannot allow a small group of Senators to hold national service hostage in order to score their own * * * political points."

This effort to block the national service legislation is an abuse of the Senate's rules and a disservice to the Americans we represent. I urge Senators to work together to move this legislation forward to final passage.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER. The Senate is in morning business. The Senator is recognized.

NATIONAL LABOR RELATIONS BOARD INVESTIGATION

Mr. BROWN. Mr. President, today, I have written Attorney General Janet Reno and the inspector general of the National Labor Relations Board requesting their inquiry into allegations of possible governmental misconduct

in an investigation by a regional office of the National Labor Relations Board. My purpose in this request is to ascertain the facts and ensure that the proper procedures are being followed.

The questions raised by the subject of the NLRB investigation, Monfort, Inc., are serious. Monfort, Inc., alleges that the regional office of the NLRB prepared their decision prior to having heard the evidence. This issue was raised when Monfort's attorney was inadvertently faxed a copy of an NLRB regional office memorandum on July 13, 1993, 2 days before the NLRB investigator was to take evidence from the company.

Subsequently, the NLRB apparently demanded that all copies of its memo be returned to them, denying Monfort even one copy to use as evidence. If this is accurate, it is distressing to think that the NLRB might take action to cover up possible wrongful conduct by its personnel.

The company that is the subject of the NLRB investigation is Monfort, Inc., a subsidiary of ConAgra, Inc. Monfort, Inc., is a successor company to Monfort of Colorado, Inc. A little over 13 years ago, before entering Congress, I worked for Monfort of Colorado, Inc. I do not have any financial interest in ConAgra or Monfort, Inc., and our office has treated this matter in the same way we would for any other constituent.

THE NOMINATION OF CHARLES R. TETZLAFF TO BE U.S. ATTORNEY FOR THE DISTRICT OF VERMONT

Mr. LEAHY. Mr. President, sometime soon, either this evening or tomorrow, I expect that the Senate is going to confirm the nomination of Charles Robert Tetzlaff of Burlington, VT, to be the U.S. attorney for the district of Vermont. We are a small enough State that we have one U.S. attorney for our whole State. It gives me a great deal of pleasure to be able to tell the Senate that we will be confirming Mr. Tetzlaff for the U.S. attorney position, and I would like to tell the Senate why.

Last week, shortly before one of the hearings on Judge Ginsburg, the Senate Judiciary Committee went into executive session and voted unanimously to recommend to the U.S. Senate the name of Charles Tetzlaff to be U.S. attorney for the State of Vermont. It was noteworthy not only because of his own accomplishments but because this was the first U.S. attorney to be endorsed by the Judiciary Committee in the Clinton administration.

I have known Charlie Tetzlaff most of his life and mine. We grew up together in Montpelier, VT. He went on to the University of Vermont; I to St. Michael's College. He went on to get a law degree at Boston University and masters in criminal law at New York

University. He then served with distinction in the judge advocate corps with the U.S. Air Force.

After I practiced law for awhile, I became State's attorney of Chittenden County, a county covering about a quarter of our State's population. I held that position by myself for some time. We did not have an assistant State's attorney at that time, nor did we have investigators, secretaries, or much else. Eventually because of the population, because of the nature of the job, and because we wanted to make it a professional full-time position, the State legislature voted to approve a chief deputy State's attorney for Chittenden County.

Charles Tetzlaff was the first such deputy State's attorney. I encouraged him to come back from the Air Force and to join me in that position. He served with great distinction and was seen as one of the best prosecutors our State has even had. He left that position to become a partner in a prestigious law firm in Burlington, VT, and has served there since.

After the Presidential election, I asked Charlie if he would consider being U.S. attorney because I felt that he would be the best person in the State to serve in this role. It initially took some coaxing on my part. It meant that he would have to give up his position as a partner in this law firm at significant personal and economic sacrifice.

To his credit and to the good of the Federal criminal justice system he said yes.

I am pleased that the President nominated him and that the Senate Judiciary Committee has approved of him, and I hope that within a very short time the U.S. Senate will confirm him.

He is a person equally respected by both the prosecutors bar and the defense bar in Vermont. I have heard from numerous lawyers who prosecute and numerous lawyers who defend who say that we could not have picked a better person to be U.S. attorney for Vermont. I heard from judges and other Vermonters interested in the judicial system who agree with this conclusion. Charlie has had a great career and was picked at one time as one of the top 10 trial lawyers in our State.

In the last 23 years he has been in private practice in Burlington, concentrating on Federal and State civil and criminal litigation. He has tried more cases before a jury than we can count and has tried criminal cases from first degree murder to drug prosecutions. He knows how to handle complex litigation expeditiously, whether civil or criminal.

We have spent nearly 2 years without a U.S. attorney in Vermont. But now we have the opportunity to finally have a U.S. attorney in our State. Law enforcement needs that. I have said many times on this floor my first love

in public office was serving as a prosecutor. I still think it is among the best jobs any lawyer could possibly have. Certainly some of the most enjoyable times I have had in public life I had while serving as a prosecutor.

After I was asked by the administration to recommend a candidate for U.S. attorney, I took special interest in who I should recommend.

I can honestly say to the Senate, as I did to President Clinton, that I recommended the person I felt was most qualified in our whole State. And, incidentally, Mr. President, we have a lot of very good men and women in our State, both Republicans and Democrats, who are well qualified to be U.S. attorney for Vermont.

But I think that Charles Tetzlaff is the most qualified and as a Vermonter, it is very important to me who is there enforcing the Federal criminal code.

So when this vote comes before the Senate, I would urge my colleagues to vote unanimously for Charlie Tetzlaff as the Senate Judiciary Committee did last week.

I also wish to thank both Senator BIDEN and Senator HATCH of the Senate Judiciary Committee who moved with remarkable speed and with great courtesy to me as member of the Judiciary Committee to enable this nomination to go forward.

I also wish to thank my good friends, GEORGE MITCHELL and BOB DOLE, who have to finally sign off and say whether such nominations can come before the Senate.

Mr. President, I yield the floor.

RECOGNIZING THE ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. HATCH. Mr. President, I rise today to recognize the third anniversary of the Americans With Disabilities Act becoming public law. This law is a milestone toward breaking down the remaining barriers to employment opportunity and access to public places for all of our citizens with disabilities. President Bush signed this bill on the south lawn of the White House 3 years ago today in the presence of the bill's bipartisan sponsors and its hundreds of supporters.

Disabilities affect, both directly and indirectly, individuals from every race, gender, and socioeconomic background, and the average person who is today able-bodied will spend 4 years with a disabling condition in the future.

Mr. President, individuals with disabilities are valuable members of our society. They have made and continue to make countless contributions to the growth, strength, and welfare of our Nation in both the compensated and volunteer work forces; they are a source of inspiration and determination for all Americans in overcoming barriers.

My home State of Utah is a fine example to the rest of the Nation in their efforts. Utah has been actively implementing and complying with both the spirit and letter of this law under the leadership of Governor Leavitt and ADA coordinator, Nancy Plant. Utah businesses, despite the costs involved in implementing this legislation, are making every effort to put the ADA into effect. I sincerely appreciate their dedication to making this legislation work well.

Additionally, I would like to commend Senator INOUE for his introduction of a joint resolution, National Barrier Awareness Day, which sets aside September 29, 1993, and September 28, 1994, as days to pay recognition to individuals affected by disabilities. I am proud to be a cosponsor of this resolution and urge my colleagues to do the same.

Mr. President, I encourage the continued observance of this landmark law and support it wholeheartedly.

SENATE QUARTERLY MAIL COSTS

Mr. FORD. Mr. President, in accordance with section 318 of Public Law 101-520, I am submitting the summary tabulations of Senate mass mail costs for the third quarter of fiscal year 1993, that is the period of April 1, 1993, through June 30, 1993, to be printed in the RECORD, along with the quarterly statement from the U.S. Postal Service setting forth the Senate's total postage costs for the quarter.

I ask unanimous consent that the material mentioned be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING JUNE 30, 1993

Sensors	Original total pieces	Pieces per capita	Original total cost	Cost per capita
Akaka				
Baucus	22,502	0.02731	\$17,679.99	\$0.02146
Bennett				
Biden				
Bingaman	11,200	.00708	1,754.53	.00111
Bond				
Boren				
Boxer	92,800	.00301	13,109.37	.00042
Bradley	68,100	.00874	9,689.24	.00124
Breaux	7,525	.00176	1,402.77	.00033
Brown				
Bryan	46,250	.03485	6,586.27	.00496
Bumpers				
Burns	135,325	.16423	21,351.71	.02591
Byrd				
Campbell				
Chafee	35,710	.03553	5,457.42	.00543
Coats				
Cochran				
Cohen	68,750	.05567	11,945.83	.00967
Conrad	42,580	.06695	6,259.19	.00984
Coverdell				
Craig				
D'Amato	713,150	.03936	122,679.36	.00677
Danforth				
Daschle	22,500	.03165	3,201.47	.00450
DeConcini				
Dodd				
Dole				
Domenici				
Dorgan	9,950	.01564	1,416.52	.00223
Durenberger	18,900	.00422	3,697.18	.00083
Euron				

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS
FOR THE QUARTER ENDING JUNE 30, 1993—Continued

Senators	Original total pieces	Pieces per capita	Original total cost	Cost per capita
Faircloth				
Feingold				
Feinstein				
Ford				
Glenn				
Gorton	302,205	.05884	53,823.18	.01048
Graham				
Gramm	114,425	.00648	19,429.88	.00110
Grassley				
Gregg				
Harkin				
Hatch	650	.00036	143.43	.00008
Hatfield				
Heflin				
Helms				
Hollings				
Hutchison				
Inouye				
Jeffords				
Johnston				
Kassebaum				
Kempthorne				
Kennedy				
Kerrey				
Kerry	77,000	.01284	10,966.68	.00183
Kohl				
Krueger				
Lautenberg	1,600	.00021	378.34	.00005
Leahy	5,200	.00912	996.04	.00175
Levin	11,724	.00124	2,342.50	.00025
Lieberman	138,034	.04207	20,782.13	.00633
Lott	8,800	.00337	1,251.69	.00048
Lugar	84,900	.01499	13,418.81	.00237
Mack				
Mathews				
McCain				
McConnell				
Metzenbaum				
Mikulski				
Mitchell	36,500	.02955	5,407.08	.00438
Mosley-Braun	753	.00006	596.70	.00005
Moyihan				
Murkowski				
Murray				
Nickles	36,150	.01125	5,570.38	.00173
Nunn				
Packwood	19,250	.00647	4,762.59	.00160
Pell				
Pressler	2,000	.00281	370.13	.00052
Pryor				
Reid				
Riegle	55,560	.00589	8,852.60	.00094
Robb				
Rockefeller				
Roth				
Sarbanes	28,325	.00577	5,564.04	.00113
Sasser				
Shelby				
Simon	526,925	.04530	75,111.85	.00646
Simpson	35,250	.07564	4,852.52	.01041
Smith				
Specter	370,700	.03087	52,785.60	.00440
Stevens	41,650	.07095	6,343.03	.01081
Thurmond				
Wallop	6,090	.01307	1,294.91	.00278
Warner	0			
Wellstone	173,570	.03874	30,706.75	.00685
Wofford	0			

Other offices	Total pieces	Total cost
The Vice President	0	0
The President pro-tempore	0	0
The Majority Leader	0	0
The Minority Leader	0	0
The Assistant Majority Leader	0	0
The Assistant Minority Leader	0	0
Secretary of Majority Conference	0	0
Secretary of Minority Conference	0	0
Agriculture Committee	0	0
Appropriations Committee	0	0
Armed Services Committee	0	0
Banking Committee	0	0
Budget Committee	0	0
Commerce Committee	0	0
Energy Committee	0	0
Environment Committee	0	0
Finance Committee	0	0
Foreign Relations Committee	0	0
Governmental Affairs Committee	0	0
Judiciary Committee	0	0
Labor Committee	0	0
Rules Committee	0	0
Small Business Committee	0	0
Veterans' Affairs Committee	0	0
Ethics Committee	0	0
Indian Affairs Committee	0	0
Intelligence Committee	0	0
Aging Committee	0	0
Joint Economic Committee	0	0
Joint Committee on Printing	0	0
Joint Committee on Congressional Inauguration	0	0
Democratic Policy Committee	0	0

Other offices	Total pieces	Total cost
Democratic Conference	0	0
Republican Policy Committee	0	0
Republican Conference	0	0
Legislative Counsel	0	0
Legal Counsel	0	0
Secretary of the Senate	0	0
Sergeant at Arms	0	0
Narcotics Caucus	0	0
SCMTE POW/MIA	0	0

MEMORANDUM

JULY 21, 1993.

To: Senator Ford.
From: Gary Winters.
Ref: Republican Policy Committee Request

For An Additional Copier.

Senator Nickles, as Chairman of the Republican Policy Committee, is requesting approval for the allocation of an additional copier to the Committee.

Under current regulations, Leadership, Policy Committees, and Administrative offices are authorized one or more class I, II, or III copiers, as determined by the Sergeant at Arms based on a requirements analysis.

The Sergeant at Arms Service Department advised me that the Republican Policy Committee has the highest volume of coping of any office in the Senate. This large volume places a strain on their current machine, which results in several maintenance calls (maintenance log attached to letter). Other than reducing their volume of copying, the only solution would be an additional machine.

The Service Department has also advised me that they currently have a comparable size copier in stock, which the Senate owns. There is a \$176/month maintenance fee on that machine and the Service Department has been trying to determine where it might be best used. They informed me that they are not opposed to providing it to the Republican Policy Committee.

Recommend the request be approved.

U.S. POSTAL SERVICE,
Washington, DC, July 16, 1993.

HON. WENDELL H. FORD,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Detailed data on franked mail usage by the U.S. Senate for the third quarter, Fiscal Year 1993, is enclosed. Total postage and fees for the quarter is \$2,099,894.

A summary of Senate franked mail usage, based upon the first three quarters of actual data for Fiscal Year 1993, is as follows:

Volume	28,776,120
Revenue per piece	\$.2547
Revenue	\$7,327,871.00
Provisional payments to date	\$10,000,000.00
Excess in provisional payments	\$2,672,129.00
The first three Postal Quarter results, when projected to an annual figure based upon an adaptation of historical trends for Senate franked mail activity, provide the following estimates for FY 1993:	
Volume	52,074,050
Revenue per piece	\$.2474
Total revenue	\$12,885,302.00
Current appropriation	\$20,000,000.00
Estimated surplus	\$7,114,698.00

However, due to substantial deviations in Senate quarterly mailing patterns, these estimates are considered debatable.

If you or your staff have any questions, please call Tom Galgano of my staff on (202) 268-3255.

Sincerely,
ALFRED CARREON, Jr.,
Manager, Post Office Accounting,
Finance and Planning.

FRANKED MAIL, POSTAL QUARTER III, FISCAL YEAR 1993

Subcategories	Pieces	Rate	Amount
1. Letters: 1st class (total)	2,498,267	\$0.2900	724,497
2. Flats: 1st class (total)	125,883	1.1064	139,277
3. Parcels:			
Priority—up to 11 oz			
Priority—over 11 oz	22,133	4.3469	96,210
4th Class—regular	32,790	3.9547	129,674
Total	54,923	4.1128	225,885
4. Orange bag pouches:			
1st class	3,368	.3611	1,216
Priority—up to 11 oz	46	2.8913	133
Priority—over 11 oz	188	5.1011	959
Total	3,602	.6408	2,308
5. Agriculture bulletins:			
1st class			
Priority—up to 11 oz			
Priority—over 11 oz			
3rd class			
4th class special (Bk)			
4th class regular	40	9.5250	381
Total	40	9.5250	381
6. Yearbooks: 4th class special (Bk) (Total)	1,432	1.4798	2,119
7. Other (odd size parcels):			
1st class			
Priority—up to 11 oz			
Priority—over 11 oz	384	36.2057	13,903
4th class special (Bk)			
4th class regular	1,695	11.0649	18,755
Total	2,079	15.7085	32,658
Total outside DC	268,729	.5076	136,418
Permit imprint mailings:			
1st class single piece rate			
3d class bulk rate	1,740,350	.1292	612,452
Parcel Post—PI			
1st class single piece—PI			
Address corrections (3547's)	9	.3333	3
Address corrections (30 CL)			
Mailing list corrections (10 names or less)			
Mailing list corrections (more than 10 names)			
Mailgrams:			
PA—international priority airmail			
Mailing fees (registry, certified, and so forth)			
Postage due/short paid mail			17
Permit fees			
Miscellaneous charges/ADJ			
Express mail service			223,879
Subtotal	7,695,314	.2729	2,099,894
Adjustments			
Grand total	7,695,314	.2729	2,099,894

¹ Reflects a reduction for mailing charged to Senator Bryan on Mar. 16, 1993 (23,605 pieces at \$0.107/piece totalling \$2,524.74).

² Reflects a reduction of \$432.60 of the express mail drop-ship charges on Senator Bryan's mailing of Mar. 16, 1993.

SUPPLEMENTING JULY 21, 1993,
STATEMENT OF SENATOR KENNEDY
IN OPPOSITION TO TRIGGER
AMENDMENT TO NATIONAL
SERVICE ACT, OFFERED BY SENATOR DOMENICI

Mr. KENNEDY. Mr. President, on July 21, 1993 Senator DOMENICI offered an amendment to the National Service Act that would have made the funding of national service awards contingent, among other things, upon prior appropriations for the Pell Grant Program at the fiscal year 1993 maximum award level of \$2,300. In opposing this amendment, I indicated that Pell grants will be funded this year, pursuant to the ordinary appropriations process, at the \$2,300 maximum award level. Furthermore, I indicated that, because of program modifications made last year, the total number of students eligible for

Pell grants will increase beginning next year. The following figures reflect this increase in Pell Program eligibility:

Award year	Eligible applicants	Projected recipients
1992-93	5,204,000	4,171,000
1993-94	5,228,000	4,300,000
1994-95	5,367,000	4,449,000

A SALUTE TO RAYMOND BURR

Mr. HATFIELD. Mr. President, in our continuing discussion of the National and Community Service Trust Act, I would like to insert in the RECORD a recent letter that I received from my good friend, Raymond Burr, in which he shared the personal benefits he derived from being a veteran of the Civilian Conservation Corps. He wrote the following about his experience in the Civilian Conservation Corps:

I look back on the experience as one of the most important periods in my life. Like millions of others * * * I was immeasurably changed by the sense of mission I felt in the CCC, as well as the hard work, the camaraderie, the opportunity to learn important crafts—and most of all by the feelings of accomplishment. I did not earn a great deal of money in the CCC, but the personal benefits I derived were priceless.

Although many Americans only know Raymond Burr as Perry Mason, his life off the television screen should be recognized. His record of service to his country is one that we hope young as well as older Americans will strive to emulate and achieve.

I would like to salute Raymond Burr—an American who has served, and continues to serve his country in such an honorable way.

I ask unanimous consent that a letter and message from Raymond Burr be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 13, 1993.

Senator MARK HATFIELD,
The U.S. Senate,
Washington, DC.

DEAR SENATOR HATFIELD: This comes as an urgent request. I was to have delivered the enclosed speech at a rally sponsored by the National Association of Civilian Conservation Corps Alumni on the steps of the Capitol this Friday July sixteenth. I am now too ill to do so.

So, respectfully I ask that you give these ideas and needs your immediate attention.

The country, I am sure will be grateful in full measure, as I will.

My thanks and high regard,

RAYMOND BURR.

FRIENDS AND FELLOW CCCER'S: I am sorry that I cannot be with you today. Only my doctor could have prevented me from joining you, but I am with you both in spirit and in the determination to help bring back the Civilian Conservation Corps.

I am a veteran of the CCC, and I look back on the experience as one of the most impor-

tant periods in my life. Like millions of others, like many of you who are here today, I was immeasurably changed by the sense of mission I felt in the CCC, as well as the hard work, the camaraderie, the opportunity to learn important crafts * * * and most of all by the feelings of accomplishment. I did not earn a great deal of money in the CCC, but the personal benefits I derived were priceless.

And the benefits America derived were priceless as well. The CCC was one of the most successful conservation programs in our history. I consider the CCC and the Peace Corps two of America's greatest achievements.

In an age when our environment is deteriorating, when unemployment and social malaise are channeling millions of our youth into drugs and crime, I believe it is time to re-instate a proven solution. The jobs created by a new CCC program would not only engage hundreds of thousands of our young people in productive work, but would provide them with the self-respect, the values, and the sense of accomplishment they cannot gain today standing on street corners.

Moreover, the work itself is vitally needed to help revive our national parks, to resurrect our declining forests, to protect and restore the health of our waters, to halt the erosion of our precious soils. To me it seems so obvious: a herculean national task that demands a great deal of labor-intensive work, on the one hand, and a huge, energetic multitude of young people looking for something to do on the other hand. It made sense to Franklin Delano Roosevelt in 1933. It should make sense to Bill Clinton today!

Three times I have lent my voice before the Congress of the United States in support of a revitalized Civilian Conservation Corps, and I fully intend to help all of you press forward with this vital campaign until it is successful. The time is ripe. As discussions continue about the restructuring of the military and the redispensement of funds, it makes perfect sense to incorporate a new CCC into such planning, to do as Roosevelt did and recruit a peace-time army to help us save our land and save our young people. I appeal directly to the President and the Congress to consider seriously the message of this rally by my fellow woodsmen, and to bring back the CCC camps in 1993.

God Bless you all!

RAYMOND BURR.

MESSAGES FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker had signed the following enrolled joint resolution:

S.J. Res. 54. Joint resolution designating April 9, 1994, as "National Former Prisoner of War Recognition Day."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1284. A communication from the Assistant Secretary (Legislative Affairs) transmitting, pursuant to law, two reports relative to the Chemical and Biological Weapons Con-

trol Act of 1991; to the Committee on Foreign Relations.

EC-1285. A communication from the Acting Secretary of State, transmitting, pursuant to law, a draft of proposed legislation entitled the "Act for Reform in Emerging New Democracies and Support and Help for Improved Partnership with Russia, Ukraine, and Other New Independent States"; to the Committee on Foreign Relations.

EC-1286. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the sixty day period prior to July 15, 1993; to the Committee on Foreign Relations.

EC-1287. A communication from the Acting Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of the Corporation relative to the Byrd Amendment; to the Committee on Governmental Affairs.

EC-1288. A communication from the Director of the Tennessee Valley Authority, transmitting, pursuant to law, the report of the Authority relative to the Government in the Sunshine Act for calendar years 1991 and 1992; to the Committee on Governmental Affairs.

EC-1289. A communication from a Member of the Board of the U.S. Merit Systems Protection Board, transmitting, pursuant to law, the annual report of the Board for fiscal year 1992; to the Committee on Governmental Affairs.

EC-1290. A communication from the Secretary of the Postal Rate Commission, transmitting, pursuant to law, the Commission's opinion and recommended decision relative to pre-barcode letter mail requirements; to the Committee on Governmental Affairs.

EC-1291. A communication from the Chairman of the First South Production Credit Association, transmitting, pursuant to law, the annual pension plan report for calendar year 1992; to the Committee on Governmental Affairs.

EC-1292. A communication from the Chief Judge of the United States Court of Veterans Appeals, transmitting, pursuant to law, a report relative to the Court's retirement fund; to the Committee on Governmental Affairs.

EC-1293. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-44, adopted by the Council on July 13, 1993; to the Committee on Governmental Affairs.

EC-1294. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-46, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1295. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-47, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1296. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-48, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1297. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-49, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1298. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-50, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1299. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-51, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1300. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-52, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1301. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-53, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1302. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-54, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1303. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-55, adopted by the Council on July 19, 1993; to the Committee on Governmental Affairs.

EC-1304. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-56, adopted by the Council on July 19, 1993; to the Committee on Governmental Affairs.

EC-1305. A communication from the Acting Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-57, adopted by the Council on July 16, 1993; to the Committee on Governmental Affairs.

EC-1306. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations relative to Historically Black Colleges; to the Committee on Labor and Human Resources.

EC-1307. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations relative to National Diffusion Network; to the Committee on Labor and Human Resources.

EC-1308. A communication from the Secretary of Education, transmitting, pursuant to law, notice of funding formula, allowable activities, and application procedures for fiscal year 1993; to the Committee on Labor and Human Resources.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HARKIN (by request):

S. 1285. A bill to reauthorize and improve a program of grants to States to promote the provision of technology-related assistance to individuals with disabilities, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BINGAMAN:

S. 1286. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection

Agency to award grants to improve wastewater treatment for certain communities in the United States located close to the border between the United States and Mexico, and for other purposes; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (by request):

S. 1285. A bill to reauthorize and improve a program of grants to States to promote the provision of technology-related assistance to individuals with disabilities, and for other purposes; to the Committee on Labor and Human Resources.

TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES AMENDMENTS ACT OF 1993

Mr. HARKIN. Mr. President, by request of Secretary Riley, I am introducing the administration's proposal for reauthorization of the Technology-Related Assistance for Individuals with Disabilities Act of 1988. The amendments proposed by the administration would provide additional Federal support to help States complete the development and implementation of comprehensive, consumer-responsive statewide systems of technology assistance.

The bill would strengthen the act's focus on systems change and improve accountability. It would also increase the involvement of persons with disabilities in decisions relating to the provision of assistive technology devices and services. In addition, it would improve the capacity of States to develop their statewide systems by enhancing the provision of technical assistance and related activities.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Technology-Related Assistance for Individuals with Disabilities Amendments of 1993".

FINDINGS AND PURPOSE

SEC. 2. Section 2(b) of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (29 U.S.C. 2201 *et seq.*; hereinafter referred to as "the Act") is amended—

(1) in paragraph (1)—

(A) in the material that precedes subparagraph (A), by inserting "comprehensive," after "implement a";

(B) in subparagraph (B), by striking out "policies, practices, and procedures" and inserting in lieu thereof "laws, regulations, policies, practices, procedures, and organizational structures";

(C) in subparagraph (C), by striking out "of and funding for the provision of" and inserting in lieu thereof "of, access to, provision of, and funding for";

(D) in subparagraph (F), by striking out "and" at the end thereof;

(E) in subparagraph (G), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(F) by adding at the end thereof a new subparagraph to read as follows:

"(H) increase the involvement of individuals with disabilities (and, if appropriate, their family members, guardians, advocates, and authorized representatives) in the planning, development, implementation, and assessment of technology-related assistance programs, and in decisions related to the provision of assistive technology devices and assistive technology services.";

(2) in paragraph (3)—

(A) in subparagraph (A), by striking out "information, and training and public awareness" and inserting in lieu thereof "and information"; and

(B) by striking out subparagraph (B) and inserting in lieu thereof a new subparagraph to read as follows:

"(B) other assistance needed to ensure that the comprehensive, consumer-responsive statewide system developed with Federal support under this Act will continue after such support has ended."; and

(3) by adding at the end thereof a new paragraph to read as follows:

"(4) To promote systems change, in order to facilitate access to, provision of, and funding for technology-related assistance to individuals with disabilities.".

DEFINITIONS

SEC. 3. Section 3 of the Act is amended—

(1) by adding at the end thereof three new paragraphs to read as follows:

"(9) CONSUMER-RESPONSIVE.—The term "consumer-responsive" means—

"(A) accessible to individuals with disabilities and, if requested or required by such individuals, their family members, guardians, advocates, or authorized representatives;

"(B) meeting the needs of individuals with disabilities in a timely and appropriate manner; and

"(C) facilitating the full participation and inclusion of individuals with disabilities in decisions relating to—

(i) the provision of assistive technology devices and assistive technology services to particular individuals; and

(ii) the planning, development, implementation, and assessment of the statewide system of technology-related assistance to individuals with disabilities.

"(10) PROTECTION AND ADVOCACY SERVICES.—The term "protection and advocacy services" means services that are authorized under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 *et seq.*), the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 *et seq.*), and section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e) and that assist individuals with disabilities and their family members, guardians, advocates, and authorized representatives to gain access to assistive technology devices and assistive technology services.

"(11) SYSTEMS CHANGE.—The term "systems change" means reform that results in laws, regulations, policies, procedures, practices, or organizational structures that facilitate access to, provision of, and funding for assistive technology devices and assistive technology services to individuals with disabilities and other appropriate individuals or organizations, in order to empower individuals with disabilities to achieve greater independence, productivity, and inclusion within the community and the work force.";

(2) by striking out paragraph (4); and

(2) by redesignating paragraphs (3), (5), (6), (7), (8), (9), (10), and (11) as paragraphs (4), (6), (7), (9), (10), (3), (5), and (8), respectively.

MANDATED ACTIVITIES

SEC. 4. Section 101 of the Act is amended by striking out subsection (b) and inserting in lieu thereof a new subsection to read as follows:

"(b) MANDATED ACTIVITIES.—Any State that receives a grant under this title shall undertake activities to implement systems change, as defined in section 3. These activities shall include—

"(1) a review and, where appropriate, modification of laws, regulations, policies, practices, procedures, and organizational structures that affect access to, provision of, and funding for assistive technology devices and assistive technology services;

"(2) coordination among State agencies, in order to facilitate access to, provision of, and funding for assistive technology devices and assistive technology services; and

"(3) information dissemination and other activities, including training, that empower individuals with disabilities to obtain technology-related assistance and that facilitate a consumer-responsive system."

AUTHORIZED ACTIVITIES

SEC. 5. Section 101(c) of the Act is amended—

(1) in the material preceding paragraph (1), by striking out "functions described in subsection (b)" and inserting in lieu thereof "purposes of this Act";

(2) in paragraph (1)—

(A) in subparagraph (B), by adding "and" at the end thereof;

(B) by striking out subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(3) in paragraph (2)—

(A) by striking out subparagraph (G); and

(B) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H), respectively;

(4) in paragraph (4)—

(A) in subparagraph (B), by striking out "and" at the end thereof;

(B) in subparagraph (C), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and "and"; and

(C) by adding at the end thereof a new subparagraph to read as follows:

"(D) outreach activities to underserved groups."

(5) in paragraph (6)—

(A) by inserting after the first sentence, a new sentence to read as follows: "The information system may be organized on an interstate basis or as part of a regional consortium of States, thereby facilitating the establishment of compatible, linked information systems."; and

(B) by striking out "preceding sentence" and inserting in lieu thereof "preceding sentences";

(6) by redesignating paragraph (8) as paragraph (15); and

(7) by inserting after paragraph (7) seven new paragraphs to read as follows:

"(8) ALTERNATIVE STATE-FINANCED SYSTEMS.—The State may support development and implementation of alternative State-financed systems of subsidies or loan mechanisms for the provision of assistive technology devices and assistive technology services to individuals with disabilities who need but cannot afford such devices or services without assistance, including—

"(A) a loan system for assistive technology devices;

"(B) a low-interest loan fund;

"(C) a revolving fund;

"(D) a loan insurance program; and

"(E) a partnership with private entities for the purchase, lease, or other acquisition or provision of such devices or services.

"(9) SUPPORT FOR EXPENSES.—The State may use funds under this title for program-related expenses of individuals with disabilities who are involved in the planning, development, implementation, or assessment of the statewide system, including payments for travel, qualified interpreters, readers, personal care assistants, and other services needed for participation by these individuals.

"(10) DEMONSTRATION OF EQUIPMENT.—The State may support a program of demonstration and try-outs of assistive technology devices, including a mechanism that allows the ultimate user of such device to use that device on a trial basis prior to its purchase, in order to determine whether the device meets the needs of that user.

"(11) PARTNERSHIPS.—The State may support partnerships with private non-profit agencies and organizations to promote greater participation by business and industry in the development, demonstration, and distributions of assistive technology devices, and in the on-going provision of information about new assistive technology devices to assist individuals with disabilities.

"(12) CASE MANAGEMENT.—The State may provide case management services to help individuals with disabilities to identify and obtain access to the assistive technology devices and assistive technology services they need, including, as appropriate, sources of funding to obtain such devices and services.

"(13) ADA ASSISTANCE.—The State may support activities to assist employers and others who are subject to the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) on the uses of technology-related assistance to meet the requirements of that Act.

"(14) RECYCLING ACTIVITIES.—The State may support activities, including the establishment of information systems and recycling centers, for the redistribution of assistive technology devices and other devices that may be used to create assistive technology devices."

APPLICATION REQUIREMENTS

SEC. 6. (a) DESIGNATION OF RESPONSIBILITY.—Section 102(e)(1) is amended—

(1) by redesignating subparagraphs (A) through (F) as clauses (i) through (vi);

(2) by inserting the subparagraph designation "(A)" after "DESIGNATION OF RESPONSIBILITY"; and

(3) by adding at the end thereof the following new subparagraph:

"(B) The entity designated under subparagraph (A) shall provide evidence of its ability to—

"(i) exercise leadership in identifying and responding statewide to the assistive technology needs of all individuals with disabilities in the State;

"(ii) promote and accomplish systems change;

"(iii) promote and accomplish public-private partnerships and interagency coordination;

"(iv) promote consumer confidence, responsiveness, and advocacy; and

"(v) exercise leadership in developing and implementing effective strategies for capacity building, including training, and enhancement of access to funding.

"(C) Subparagraphs (B) shall apply only at the time that a State is applying for a grant under this title, or wishes to redesignate its responsible State entity."

(b) AGENCY INVOLVEMENT AND COORDINATION.—Section 102(e)(2) of the Act is amended—

(1) by inserting "AND COORDINATION" after "INVOLVEMENT";

(2) by inserting the subparagraph designation "(A)" after "AND COORDINATION."

(3) by striking out the period at the end of subparagraph (A) and inserting in lieu thereof a comma and "including the identification of the available resources and the responsibility of each agency for providing assistive technology devices and assistive technology services; and"; and

(4) by adding at the end thereof a new subparagraph to read as follows:

"(B) an assurance that the State will coordinate its activities under this grant with State councils established under the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Education Act, section 1916(e) of the Public Health Service Act, and the Rehabilitation Act of 1973."

(c) CONSUMER INVOLVEMENT.—Section 102(e)(3) of the Act is amended to read as follows:

"(3) CONSUMER INVOLVEMENT.—A description of—

"(A) the nature and extent of involvement of individuals with disabilities, their family members, guardians, advocates, authorized representatives, and other appropriate individuals—

"(i) the development of the application for a grant under this Act;

"(ii) the designation of the responsible entity described in paragraph (1);

"(iii) the development of the plan for systems change described in paragraph (6); and

"(iv) the annual assessment described in paragraph (7);

"(B) the process the State engaged in (including outreach activities to obtain input from underserved groups) to obtain input on its application and plan for systems change from the individuals described in paragraph (A), a summary of the comments the State received from such individuals, and an analysis of how the State addressed these comments in preparing its application and plan for systems change; and

"(C) the ways in which the State will promote the involvement of individuals with disabilities or, if appropriate, their family members, guardians, advocates, or authorized representatives in—

"(i) decisions relating to the provision of assistive technology devices and assistive technology services to particular individuals; and

"(ii) the planning, development, implementation, and assessment of the statewide system of technology-related assistance."

(d) PLAN FOR SYSTEMS CHANGE.—Section 102(e)(6) of the Act is amended to read as follows:

"(6) PLAN FOR SYSTEMS CHANGE.—A description of—

"(A) the goals and objectives for achieving systems change within the State, and the State's plan for accomplishing these goals and objectives, including a description of how the State will carry out the systems change activities required under section 101(b); and

"(B) the gaps that remain in the development or implementation of a comprehensive, consumer-responsive statewide system of technology-related assistance, and a description of the strategies that the State will pursue during the grant period to remedy these gaps."

(e) ASSESSMENT.—Section 102(e)(7) of the Act is amended to read as follows:

"(7) **ASSESSMENT.**—An assurance that the State will conduct an annual assessment of the statewide system of technology-related assistance, in order to determine—

"(A) the extent to which the State's goals and objectives for systems change, as identified in the State plan under paragraph (6), have been achieved; and

"(B) the areas of need that require attention in the next year."

(f) **ADDITIONAL REQUIREMENTS.**—Section 102(e) of the Act is amended—

(1) by redesignating paragraph (17) as paragraph (21); and

(2) by inserting after paragraph (16) a new paragraph to read as follows:

"(17) **UNDERSERVED GROUPS.**—A description of how the State will address the needs of individuals with disabilities who are part of an underserved group, as defined in section 3, including a description of the State's plan to conduct outreach activities to these individuals.

"(18) **TRAINING.**—An assurance that the State will develop and implement strategies for incorporating training on assistive technology in the training that the State provides, using State or Federal funds, to special education teachers and related services personnel, rehabilitation professionals, and other appropriate service providers.

"(19) **CONSUMER ASSISTANT, PROTECTION, AND ADVOCACY.**—Assurances that the State will—

"(A) provide protection and advocacy services, as required under section 106, using not less than the amount specified by the Secretary each fiscal year for this purpose; and

"(B) inform individuals with disabilities, or, if appropriate, their family members, guardians, advocates, or authorized representatives, of the availability of protection and advocacy services, and of assistance under the client assistance program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732).

"(20) **INDIRECT COSTS.**—An assurance that no more than 15 percent of grant funds will be used for indirect costs.

EXTENSION GRANTS

SEC. 7. (a) ADDITIONAL GRANT; CORRECTIVE ACTION.—Section 103(a) of the Act is amended—

(1) by inserting the paragraph designation "(1) and 'INITIAL EXTENSION GRANT.'" after "GENERAL AUTHORITY.";

(2) by striking out "implementing" and all that follows through the end thereof and inserting in lieu thereof "implementing a comprehensive, consumer-responsive statewide system of technology-related assistance that incorporates the mandatory activities required by section 101(b) and other activities facilitating systems change.";

(3) by adding at the end thereof two new paragraphs to read as follows:

"(2) **ADDITIONAL EXTENSION GRANT.**—The Secretary may award an additional extension grant, of not more than 5 years, to any State that demonstrates to the Secretary that the State—

"(A) has made significant progress in meeting the goals of the initial extension grant it received under paragraph (1); and

"(B) needs additional Federal support to complete systems change activities and achieve the purposes of this Act.

"(3) **LACK OF SIGNIFICANT PROGRESS.**—If the Secretary determines that, at the time that the State applies for an extension grant under paragraph (1) or an additional extension grant under paragraph (2), the State has not made significant progress to warrant award of the applicable grant, the State may

be subject to penalties or the Secretary may require the State to carry out a corrective action plan, as provided in section 201(b)."

(b) **APPLICATION REQUIREMENTS.**—Section 103(c) of the Act is amended—

(1) in the phrase preceding paragraph (1), by striking out "under this section" and all that follows through the colon and inserting in lieu thereof "under subsection (a)(1) or an additional extension grant under subsection (a)(2) shall submit an application that contains the information and assurances required for a development grant described in section 102(e), except the preliminary needs assessment described in section 102(e)(4). The State shall follow the requirements for the designation or redesignation of a responsible entity under subparagraphs (B) and (C) of section 102(e)(1). The application for an initial extension grant or additional extension grant shall also contain the following:";

(2) in paragraph (1), by striking out "families or" and inserting in lieu thereof "the family members, guardians, advocates, or authorized";

(3) by amending paragraph (2) to read as follows:

"(2) **ACTIVITIES AND PROGRESS UNDER PREVIOUS GRANT.**—A description of the specific activities carried out under the development grant received under section 102, or, if applicable, under the extension grant received under subsection (a)(1), including a description of the relationship of these activities to, and the progress made toward, the development and implementation of a comprehensive, consumer-responsive statewide system of technology related assistance.";

(4) in paragraph (4)—

(A) in subparagraph (B), by inserting "under section 102 or the extension grant under section 103(a)(1), as appropriate" after "development grant"; and

(B) in subparagraph (C), by inserting "under section 102 or the extension grant under section 103(a)(1), as appropriate" after "development grant";

(5) by striking out paragraph (6); and

(6) by redesignating paragraph (7) as paragraph (6).

(c) **ON-GOING EFFORTS AND FEDERAL CONTRIBUTION.**—Section 103 of the Act is amended by adding at the end thereof two new subsections to read as follows:

"(d) **APPLICATION FOR ADDITIONAL EXTENSION GRANT.**—Any State that desires to receive an extension grant under section 103(a)(2) shall submit an application that contains, in addition to the requirements set forth in section (c), a description of the steps it has taken or will take to continue on a permanent basis a comprehensive, consumer-responsive statewide system of technology-related assistance to individuals with disabilities, which system shall be able to maintain, at a minimum, the activities mandated in section 101(b).

"(e) **FEDERAL AWARD FOR ADDITIONAL GRANT.**—(1) The amount awarded to a State under subsection (a)(2) for the fourth year of the grant period shall not exceed 80 percent of the amount awarded to the State for the third year of the grant period.

"(2) The amount awarded to a State under subsection (a)(2) for the fifth year of the grant period shall not exceed 60 percent of the amount awarded to the State for the third year of the grant period."

PROGRESS REPORTS

SEC. 8. Section 104 of the Act is amended to read as follows:

"**SEC. 104. PROGRESS REPORTS.**

"Any State that receives a grant under this title shall annually submit to the Secretary a report that—

"(1) describes the progress the State has made, as determined in the State's annual assessment, in achieving the State's goals and objectives for systems change, as identified in the State plan under section 102(e)(6), and areas of need that require attention in the next year;

"(2) analyzes the laws, regulations, policies, practices, procedures, and organizational structures that the State has changed, has attempted to change, or will attempt to change during the next grant period, to facilitate the accessibility, provision, or funding of assistive technology devices and assistive technology services;

"(3) describes any written policies and procedures that the State has developed and implemented relating to the accessibility, provision, and funding of assistive technology devices and assistive technology services, including policies and procedures relating to the accessibility, provision, and funding of such devices and services under special education, rehabilitation, and medical assistance programs;

"(4) describes any interagency agreements that the State has developed and implemented relating to accessibility, provision, and funding of assistive technology devices and assistive technology services, including agreements that identify available resources for assistive technology devices and assistive technology services and the responsibility for providing for such devices and services;

"(5) describes activities undertaken to disseminate information about the documents or activities analyzed or described in paragraphs (1) through (4), including outreach activities to underserved groups;

"(6) describes the involvement of individuals with disabilities in the planning, development, implementation, and assessment of the statewide system, including activities undertaken to improve such involvement, such as consumer training and outreach activities; and

"(7) describes unanticipated problems with the achievement of the State's plan for systems change and activities the State has undertaken or plans to undertake to rectify these problems."

STATE AND NATIONAL RESPONSIBILITIES

SEC. 9. The Act is amended—

(1) in title II—

(A) by amending the heading to read as follows: "STATE AND NATIONAL RESPONSIBILITIES"; and

(B) by repealing parts A through D; and

(2) by redesignating sections 105, 106, and 107, as sections 201, 204, and 202, respectively.

SYSTEMS CHANGE PLANS; PROTECTION AND ADVOCACY

SEC. 10. Title I of the Act is amended by adding at the end thereof two new sections to read as follows:

"**SEC. 105. TIMETABLE FOR SYSTEMS CHANGE PLAN.**

Any State that receives a grant under this title shall transmit to the Secretary a plan for systems change, as described in section 102(e)(6), by the earlier of—

"(1) 12 months after enactment of the Technology-Related Assistance Amendments of 1993"; or

"(2) the date on which the State submits an application for an extension grant under section 103(a)(1) or 103(a)(2)."

"**SEC. 106. PROTECTION AND ADVOCACY SERVICES.**

"(a) **IN GENERAL.**—Each State receiving a grant under this title shall provide protection and advocacy services relating to technology-related assistance to individuals with

disabilities, using not less than the amount specified by the Secretary for this purpose, as provided in subsection (b).

"(b) **CALCULATION OF EXPENDITURES.**—(1) For fiscal years 1994 through 1996, the Secretary shall calculate the minimum amount each State receiving a grant under this title shall use to provide protection and advocacy services, based on the same ratio as the population of that State bears to the population of all States receiving funds under this title, subject to paragraph (2).

"(2) For fiscal years 1994 through 1996—

"(A) such minimum amount shall be not less than \$40,000 or greater than \$100,000; and

"(B) the total amount specified by the Secretary to be used by States for such services shall be not less than \$2,500,000.

"(3) For fiscal year 1997, the minimum amount specified for each State by the Secretary shall equal 80 percent of the minimum amount specified to be used for fiscal year 1996 for such purpose.

"(4) For fiscal year 1998, the minimum amount specified for each State by the Secretary shall equal 60 percent of the minimum amount specified to be used for fiscal year 1996 for such purpose.

"(c) **SELECTION OF ORGANIZATION.**—(1) Except as provided under paragraph (2), from the minimum amount specified by the Secretary under subsection (b) and such other funds as the State may allocate, the responsible State entity designated under section 102(e)(1) shall award a contract or grant to the entity established for protection and advocacy services under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.).

"(2)(A) The responsible State entity may select an organization other than the entity specified in paragraph (1), if the responsible State entity—

"(i) can demonstrate good cause for such selection, to the satisfaction of the Governor; and—

"(ii) has given the entity specified in paragraph (1) and individuals with disabilities, or, as appropriate, their family members, guardians, advocates, or authorized representatives, 30 days notice of its intention to make such a selection, including an explanation for making such a selection, and an opportunity to respond to the assertion that good cause has been shown.

"(B) The entity specified under paragraph (1) may appeal the selection provided in subparagraph (A) to the Secretary on the basis that the selection was not for good cause.

"(d) **TERRITORIES.**—For purposes of this section, the term 'State' does not include the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau."

ASSISTANCE UNDER OTHER LAWS

SEC. 11. Section 201(c) of the Act (as redesignated in section 9 of this Act) is amended—

(1) by inserting "any other Federal laws, including" after "under"; and

(2) in paragraph (3), by striking out "or" and inserting in lieu thereof "and".

EVALUATION AND DATA COLLECTION

SEC. 12. Section 202 of the Act (as redesignated in section 9 of this Act) is amended—

(1) by striking out subsections (a) and (b);

(2) by redesignating subsection (c) as subsection (a); and

(3) by adding at the end thereof a new subsection to read as follows:

"(b) **OTHER EVALUATION AND DATA COLLECTION ACTIVITIES.**—The Secretary may conduct such evaluation activities as the Secretary deems necessary to monitor the

progress of States and evaluate program effectiveness. In order to conduct such activities, the Secretary may collect data and other types of information from States receiving grants under this Act, or from other sources."

TECHNICAL ASSISTANCE

SEC. 13. Title II of the Act is amended by inserting after section 202 a new section to read as follows:

"SEC. 203. TECHNICAL ASSISTANCE AND INFORMATION."

"(a) **TECHNICAL ASSISTANCE.**—(1) The Secretary shall provide technical assistance with respect to the planning, development, implementation, and assessment of comprehensive, consumer-responsive statewide systems of technology-related assistance. Such assistance shall include—

"(A) the provision of information and technical assistance regarding—

"(i) effective approaches to carrying out the activities mandated under section 101(b);

"(ii) effective approaches to carrying out the activities authorized under section 101(c), including effective approaches to carrying out outreach activities to underserved groups;

"(iii) mechanisms for making a successful transition from planning for systems change to its development and implementation, including mechanisms for assessing the effectiveness of the system;

"(iv) Federal, State, and local laws, regulations, and practices that facilitate access to, provision of, and funding for, assistive technology devices and assistive technology services; and

"(v) State and local initiatives that are directed toward achieving the goals of this Act; and

"(B) such other activities as the Secretary considers appropriate.

"(2) The Secretary shall make such assistance available to—

"(A) States;

"(B) organizations providing client assistance or protection and advocacy services for individuals with disabilities; and

"(C) other appropriate public or private organizations or agencies.

"(b) **INFORMATION AND DISSEMINATION.**—(1) The Secretary shall periodically collect, analyze, and disseminate, on a national basis, information on Federal, State, and local policies and decisions (including decisions as a result of administrative or judicial hearings) that relate to obtaining funding for assistive technology devices and assistive technology services for individuals with disabilities.

"(2) The Secretary shall make such information available to—

"(A) States;

"(B) organizations providing client assistance or protection and advocacy services for individuals with disabilities;

"(C) other appropriate public or private organization or agencies;

"(D) individuals with disabilities and their family members, guardians, advocates, and authorized representatives;

"(E) individuals who work in appropriate public or private organizations (including insurers);

"(F) employers; and

"(G) other appropriate individuals."

AUTHORIZATION OF APPROPRIATIONS

SEC. 14. (a) **IN GENERAL.**—Section 204(a) of the Act (as redesignated in section 9 of this Act) is amended by striking out "title \$9,000,000" and all that follows through the end thereof and inserting in lieu thereof

"Act \$37,744,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998."

(b) **RESERVATION OF FUNDS.**—Section 204(b) of the Act is amended—

(1) in paragraph (1)—

(A) by striking out "reserve 1 percent" and inserting in lieu thereof "reserve at least 2 percent";

(B) by striking out "\$500,000" and inserting in lieu thereof "not less than \$1,500,000"; and

(C) by striking out "States" and all that follows through the end thereof and inserting in lieu thereof "technical assistance and information, as required by section 203."; and

(2) in paragraph (2)—

(A) by striking out "ONSITE VISITS" and inserting in lieu thereof "REVIEW AND EVALUATION"; and

(B) by striking out "conducting" and all that follows through the end thereof and inserting in lieu thereof "reviewing participating States, as required by section 201(a), including the conduct of onsite visits and use of field readers, and evaluating State programs, as provided in section 202, including data collection activities."

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 15. The Act is further amended—

(1) by striking out "the Trust Territory of the Pacific Islands" each place it appears and inserting in lieu thereof "the Republic of Palau (until the Compact of Free Association with Palau takes effect)";

(2) by striking out "statewide programs" each place it appears and inserting in lieu thereof "statewide system";

(3) by striking out "statewide programs" each place it appears and inserting in lieu thereof "statewide systems";

(4) in section 1, by striking out "With" and inserting in lieu thereof "with";

(5) in section 3—

(A) in paragraph (2), by striking out "individual with a disability" and inserting in lieu thereof "individual with disabilities";

(B) in paragraph (7), by striking out "functions performed and"; and

(C) in paragraph (8), by striking out "have" and inserting in lieu thereof "has";

(6) in section 101—

(A) in subsection (a), by striking out "of Education"; and

(B) in subsection (c)—

(i) in paragraph (4), by striking out "a program" each place it appears and inserting in lieu thereof "program";

(ii) in paragraph (6)(B), by striking out "sources, conditions of and criteria for" and inserting in lieu thereof "sources, and conditions of, and criteria for,"; and

(iii) in paragraph (7), by striking out "of all ages";

(7) in section 102—

(A) by striking out "under section 106" each place it appears and inserting in lieu thereof "under section 204";

(B) in subsection (c)(3)(C), by striking out "State relating to the development of a statewide" and inserting in lieu thereof "State or territory concerned relating to the development of a statewide or territory-wide";

(C) in subsection (e)—

(i) in paragraph (4), by striking out "tentative" and inserting in lieu thereof "preliminary";

(ii) in paragraph (6)—

(I) by striking out "FUNCTIONS,";

(II) by striking out "functions,"; and

(III) by striking out "section 2(b)(1)" and inserting in lieu thereof "section 2(b)"; and

(iii) in paragraph (10), by striking out "title" and inserting in lieu thereof "Act";

- (8) in section 103—
 (A) in subsection (b), by striking out "under section 106" each place it appears and inserting in lieu thereof "under section 204";
 (9) in section 201 (as redesignated in section 9 of this Act)—
 (A) in subsection (a)(3)—
 (i) by inserting a comma after "minimum"; and
 (ii) by striking out "section 2(b)(1)" and inserting in lieu thereof "section 2(b)"; and
 (B) in subsection (c)—
 (i) by striking out "in this title" and inserting in lieu thereof "in this Act"; and
 (ii) by inserting a comma after "available" and "eligibility";
 (10) in section 202(a) (as redesignated in section 9 of this Act), by striking out "this title" and inserting in lieu thereof "title I";

EFFECTIVE DATE

SEC. 16. This Act shall take effect on October 1, 1993.

TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES AMENDMENTS OF 1993—SECTION-BY-SECTION ANALYSIS

SECTION 2. FINDINGS AND PURPOSE

Section 2 of the bill would amend section 2(b) of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (29 U.S.C. 2201 *et seq.*; "the Act") by clarifying that the primary purpose of the Act is to help States develop and implement a comprehensive, consumer-responsive statewide system that facilitates access to, provision of, and funding for technology-related assistance to individuals with disabilities. This would be accomplished by promoting systems change in the State.

Consistent with an emphasis on systems change, section 2 of the bill would provide that one purpose of the Act would be to increase the involvement of individuals with disabilities (and others, if appropriate) in the planning, development, implementation, and assessment of statewide systems of technology-related assistance, and in decisions related to the provision of assistive technology devices and assistive technology services. This section of the bill would also state that a purpose of the Act would be to provide additional Federal assistance needed to ensure that the systems developed under this Act will continue after Federal support has ended.

Finally, section 2 of the bill would remove a provision in current law that one of the purposes of the Act is to enhance the ability of the Federal government to provide States with training and public awareness programs, as well as funding for model demonstration and innovation projects, since these types of activities are already authorized under several other Acts including titles II and III of the Rehabilitation Act of 1973.

SECTION 3. DEFINITIONS

Section 3 of the bill would add three definitions to the Act consistent with the emphasis on a comprehensive, consumer-responsive statewide system. This section of the bill would define "consumer-responsive" to encompass two concepts. The first concept involves the ability of the statewide system to accommodate the needs of individuals with disabilities. Thus, a "consumer-responsive" system would be accessible to individuals with disabilities (and, if requested or required by these individuals, their family members, guardians, advocates, or authorized representatives) who are seeking assistive technology devices or services, or information about these devices or services, including information about funding. As

used in the bill, the term "advocate" would mean a person who has been authorized by an individual with disabilities to advocate on behalf of that individual. Such a system would also meet the needs of individuals with disabilities in a timely and appropriate manner. The second concept involves the empowerment of individuals with disabilities to influence decisions about meeting their own needs as well as to effect change in the system. Thus, a "consumer-responsive" system would facilitate the full participation and inclusion of these individuals in decisions relating to the provision of assistive technology to particular individuals and the planning, development, implementation, and assessment of the statewide system.

In addition, section 3 of the bill would define "protection and advocacy services" to mean those services that are authorized under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 *et seq.*), the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 *et seq.*), and section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e) and that assist individuals with disabilities and their family members, guardians, advocates, and authorized representatives to gain access to assistive technology devices and assistive technology services.

This section of the bill would also define "systems change" to mean statewide reforms that results in laws, regulations, policies, procedures, practices, or organizational structures that facilitate access to, provision of, and funding for assistive technology devices and assistive technology services to individuals with disabilities, and other appropriate individuals or organizations, in order to empower individuals with disabilities to achieve greater independence, productivity, and inclusion within the community and the work force.

Finally, section 3 of the bill would remove the definition of the term "institution of higher education" since that term would no longer appear in the Act, and would renumber the definitions so that they are arranged in alphabetic order.

SECTION 4. MANDATED ACTIVITIES

Section 4 of the bill would amend section 101 of the Act by removing the authority for States to carry out certain functions under the Act. These functions are duplicative of the activities States are authorized to carry out under section 102 of the Act as well as application requirements in current law.

In accordance with the proposed primary purpose of the Act, this section of the bill would add a provision requiring any State that receives a grant under proposed title I of the Act to undertake activities to implement systems change. These activities would include: (1) a review and, where appropriate, modification of laws, regulations, policies, practices, procedures, and organizational structures that affect the accessibility, provision, and funding of assistive technology devices and assistive technology services; (2) coordination among State agencies, in order to facilitate the accessibility, provision, and funding of assistive technology devices and assistive technology services; and (3) information dissemination and other activities (including training of consumers of assistive technology) that empower individuals with disabilities to obtain technology-related services and that facilitate a consumer-responsive system. These activities comprise the minimum components needed to bring about systemic reform. It is expected that each State will identify other necessary activities in its plan for systems change, as re-

quired in proposed section 102(e)(6) of the Act.

SECTION 5. AUTHORIZED ACTIVITIES

Section 5 of the bill would amend and expand the list of authorized activities in section 101(c) of the Act. Since all States receiving a grant under the proposed Act would be required to involve individuals with disabilities in decisions affecting technology-related assistance, consistent with an increased emphasis on a consumer-responsive system, this section of the bill would remove a provision that merely authorizes States to support a model delivery system that demonstrates successful involvement of individuals with disabilities.

Similarly, this section of the bill would remove an authority in current law for the State to describe an alternative State-financed system of subsidies to provide assistive technology; instead the State would be authorized to provide support for the development and implementation of such a system. This system would include financial mechanisms for individuals with disabilities who need but cannot afford such assistive technology devices or services without assistance, including a loan system for assistive technology devices, a low-interest loan fund, a revolving fund, a loan insurance program, and a partnership with private entities for the purchase, lease, or other acquisition or provision of these devices or services.

Further, this section of the bill would expand the provision in current law regarding access to technology-related information, by authorizing a State to organize an information system on an interstate basis or as part of a regional consortium of States, thereby facilitating the establishment of compatible, linked information systems. This section of the bill would also expand the public awareness activities in current law to include outreach to underserved groups.

Finally, section 5 of the bill would add several authorized activities under the Act, consistent with a focus on systems change. These provisions would allow States to:

Pay for program-related expenses of individuals with disabilities who are involved in the planning, development, implementation, or assessment of the statewide system, including payments for travel, qualified interpreters, readers, personal care assistants, and other services needed for participation by these individuals;

Support a program of demonstration and try-outs of assistive technology devices, including a mechanism that allows the ultimate user of the device to use that device on a trial basis prior to its purchase in order to determine whether the device meets the needs of that user;

Support partnerships with private non-profit and for-profit agencies and organizations to promote greater participation by business and industry in the development, demonstration, and distribution of assistive technology devices and in the on-going provision of information about new assistive technology devices to assist individuals with disabilities;

Provide case management services to help individuals with disabilities to identify and obtain access to the assistive technology devices and assistive technology services they need, including, as appropriate, sources of funding to obtain these devices and services;

Support activities to assist employers and others who are subject to the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 *et seq.*) on the uses of technology-related assistance to meet the requirements of that Act; and

Support activities, including the establishment of information systems and recycling centers, for the redistribution of assistive technology devices and other devices that may be used to create assistive technology devices.

SECTION 6. APPLICATION REQUIREMENTS

Section 6 of the bill would amend and expand application requirements in section 102(e) of the Act consistent with the focus on systems change. Except as provided in proposed section 103 of the Act, these requirements would to development grants and extension grants.

Section 6(a) of the bill would expand the requirements for the designation by the Governor of the State entity responsible for preparing the application and administering the grant in order to ensure that this entity has the capacity to accomplish the goals of the program. This "lead agency" would have to demonstrate ability to: (1) exercise leadership in identifying and responding statewide to the assistive technology needs of all individuals with disabilities in the State; (2) promote and accomplish systems change; (3) promote and accomplish public private partnerships; (4) promote consumer confidence, responsiveness, and advocacy; and (5) exercise leadership in developing and implementing effective strategies for capacity building, including training, and enhancement of access to funding. The State would be required to document the ability of the "lead agency" each time that the State applied for a grant (development or extension) under the Act and whenever the Governor chose to redesignate the State's "lead agency."

Section 6(b) of the bill would amend the agency involvement provisions in section 102(e)(b) of the Act by requiring the grant application to identify the available resources and the responsibility of each agency for providing assistive technology devices and assistive technology services. This section of the bill would also require an assurance that the State will coordinate its activities under the applicable grant with State councils established under the Rehabilitation Act of 1973, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Education Act, and section 1916(e) of the Public Health Service Act.

Section 6(c) of the bill would add to the public involvement provision under section 102(e)(3) of the Act a requirement that the State describe the nature and extent of involvement of individuals with disabilities, their family members, guardians, advocates, authorized representatives, and other appropriate individuals in: (1) the development of the grant application; (2) the designation of the "lead agency;" (3) the development of the systems change plan; and (4) the annual assessment of the system. The State would also be required to include a description of the process the State engaged in to obtain input from these individuals (including a description of the State's outreach activities to obtain input from underserved groups) on the application and the systems change plan, a summary of the comments the State received from them, and an analysis of how the State addressed these comments in preparing its application and systems change plan. Finally the State would be required to describe how it will promote the involvement of individuals with disabilities or, if appropriate, their family members, guardians, advocates, or authorized representatives in decisions relating to the provision of assistive technology devices and assistive technology services, and in the planning, development, implementation, and assessment of the state-

wide system of technology-related assistance.

Section 6(d) of the bill would remove the provision in current law that requires a State applying for a grant to identify its goals, objectives, functions, and activities under the grant. In its place, the bill would require the State to describe its plan for systems change, as well as any gaps in the development or implementation of a comprehensive, consumer-responsive statewide system and its strategies for removing those gaps. These gaps could be such deficiencies in the system as limited access to assistive technology devices or services for certain underserved populations.

Section 6(e) of the bill would replace the provision in section 102(e)(7) of the Act regarding a description of procedures for compiling information and conducting evaluations with a more specific requirement keyed to a consumer-responsive system. Thus, the State would be required in its application to provide an assurance that the State will conduct, for the duration of the grant period, an annual assessment of the statewide system in order to determine the extent to which the State's goals and objectives for systems change (as provided in the systems change plan under proposed section 105 of the Act) have been achieved, and the areas of need that require attention in the next year.

Section 6(f) of the bill would add the following application requirements:

A description of how the State will address the needs of individuals with disabilities who are part of an underserved group (which includes, for example, minority populations), including a description of the State's plan to conduct outreach activities to these individuals;

An assurance that the State will develop and implement strategies for incorporating training on assistive technology in the training that the State provides, using State or Federal funds, to special education teachers and related services personnel, rehabilitation professionals, and other appropriate service providers;

Assurances that the State will provide protection and advocacy services, as required under proposed section 106 of the Act, using not less than the amount specified by the Secretary each fiscal year for this purpose, and will inform individuals with disabilities (or other appropriate individuals) of the availability of protection and advocacy services, and of assistance under the client assistance program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732); and

An assurance that no more than 15 percent of grant funds will be used for indirect costs.

SECTION 7. EXTENSION GRANTS

Section 7(a) of the bill would expand the extension grant authority in section 103(a) of the Act to allow a State to receive an additional extension grant, for not more than 5 years, if the State demonstrates that it has made significant progress in meeting the goals of the initial extension grant (which would remain a 2-year grant) and needs additional Federal support to complete its systems change activities. This section of the bill would also clarify that, if the Secretary determines, at the time that the State applies for an extension grant or an additional extension grant, the State has not made significant progress to warrant award of the applicable grant, the Secretary may require the State to carry out a corrective action plan or impose penalties, as provided under section 105(b) of current law. The corrective

action plan and penalties provisions in current law may also be utilized at any time that a State fails to comply with the requirements of title I of the Act.

Section 7(b) of the bill would clarify that any State that is applying for an initial extension grant or an additional extension grant is required to submit an application that contains the information and assurances required for a development grant described in section 102(e) of the Act, except the preliminary needs assessment described in section 102(e)(4) of the Act. Applications for an initial extension grant or additional extension grant would be required to provide the supplementary information and assurances specified in section 103(c) of current law, with several proposed changes consistent with the bill's emphasis on systems change.

Section 7(c) of the bill would add provisions to section 103 of the Act that would apply to the proposed additional extension grant. This section of the bill would require any State that desires to receive an additional extension grant to submit an application that also contains a description of the steps the State has taken or will take to continue on a permanent basis a comprehensive, consumer-responsive statewide system of technology-related assistance that would be able to maintain, at a minimum, the activities mandated under proposed section 101(b) of the Act.

Consistent with the capacity building aspect of the Act, section 7(c) of the bill would also provide for a declining Federal contribution for the additional extension grant. In the fourth year of the grant period, the amount of the Federal grant would be not more than 80% of the amount awarded for the third year of the grant period; for the fifth year of the grant period, the amount of the Federal grant would decline to not more than 60% of the amount awarded for the third year of the grant period.

SECTION 8. PROGRESS REPORTS

Section 8 of the bill would incorporate into the reporting requirements in section 104 of the Act the descriptions and analyses that relate to progress made toward systems change. Proposed section 104 of the Act would require any State that receives a grant under proposed title I of the Act to submit to the Secretary an annual report that: (1) describes the progress the State has made, as determined in the State's annual assessment, in achieving the State's goals and objectives for systems change and areas of need that require attention in the next year; (2) analyzes the laws, regulations, policies, practices, procedures, and organizational structures that the State has changed, has attempted to change, or will attempt to change during the next grant period, to facilitate the accessibility, provision, or funding of assistive technology devices and assistive technology services; (3) describes any written policies and procedures that the State has developed and implemented relating to accessibility, provision, or funding of assistive technology devices and assistive technology services, including policies and procedures under special education, rehabilitation, and medical assistance programs; (4) describes any interagency agreements that the State has developed and implemented relating to accessibility, provision, and funding of assistive technology devices and assistive technology services, including agreements that identify available resources for assistive technology devices and assistive technology services and the responsibility for providing these devices and services; (5)

describes activities undertaken to disseminate information about the documents or activities analyzed or described in the progress report, including outreach activities to underserved groups; (6) describes the involvement of individuals with disabilities in the planning, development, implementation, and assessment of the statewide system, including activities undertaken to improve this involvement, such as consumer training and outreach activities; and (7) describes unanticipated problems with the achievement of the State plan and activities the State has undertaken or plans to undertake to rectify these problems.

SECTION 9. STATE AND NATIONAL RESPONSIBILITIES

Section 9 of the bill would amend the heading for title II of the Act to read "STATE AND NATIONAL RESPONSIBILITIES", repeal parts A through D of that title, and redesignate section 105, 106, and 107 of the Act as sections 201, 204, and 202.

Parts A and B of title II of the Act authorize studies and evaluations that have been completed. The training activities contained in part C of title II of the Act can be carried out under the other authorities, such as the Rehabilitation Act of 1973. Public awareness, currently a separate authority under part C of title II, is integral to the systems change activities undertaken by the States and, therefore, a separate national authority is no longer needed. The training in technology careers authority under part C of title II of the Act is unnecessarily duplicative of training authorities in other statutes. Finally, the national demonstration and innovation project authorities under part D of title II of the Act are not needed because they overlap other authorities such as those in title II of the Rehabilitation Act of 1973.

The redesignations proposed in section 9 of the bill would result in the following structure for the Act:

- Sec. 1. Short title.
- Sec. 2. Findings and purpose.
- Sec. 3. Definitions.

TITLE I—GRANTS TO STATES

- Sec. 101. Program authorized.
- Sec. 102. Development grants.
- Sec. 103. Extension grants.
- Sec. 104. Progress reports.
- Sec. 105. Timetable for systems change plan.
- Sec. 106. Protection and advocacy services.

TITLE II—STATE AND NATIONAL RESPONSIBILITIES

- Sec. 201. Administrative provisions.
- Sec. 202. Evaluation.
- Sec. 203. Technical assistance and information.
- Sec. 204. Authorization of appropriations.

SECTION 10. SYSTEMS CHANGE PLANS; PROTECTION AND ADVOCACY

Section 10 of the bill would add two new sections to proposed title I of the Act.

The first new section (proposed section 105 of the Act) would require that any State that receives a grant under proposed title I of the Act transmit to the Secretary a plan for systems change within the State 12 months after enactment of this bill or when the State submits an application for an extension grant under proposed section 103(a)(1) or 103(a)(2) of the Act, whichever is earlier. This provision would ensure that all participating States focus on the specific areas needed to develop and implement a comprehensive, consumer-responsive statewide program, regardless of when these States began receiving Federal assistance under the Act.

The second new section (proposed section 106 of the Act) would require that each State

receiving a grant under proposed title I to provide protective and advocacy services relating to technology-related assistance to individuals with disabilities, using not less than the amount specified by the Secretary for this purpose. For fiscal years 1994 through 1998, the Secretary would be required to calculate the minimum amount each State receiving a grant must use to provide protection and advocacy services, based on the same ratio as the population of that State bears to the population of all States receiving grants, except that for these fiscal years the minimum amount would be not less than \$40,000 or greater than \$100,000, and the total amount specified by the Secretary for these services would be not less than \$2,500,000. For fiscal year 1997, the minimum amount specified for each State by the Secretary would equal 80% of the minimum amount specified to be used for fiscal year 1996 for this purpose, and for fiscal year 1998, the minimum amount specified would equal 60% of the minimum amount specified to be used for fiscal year 1996.

Proposed section 106(c) of the Act would require that, in general, the "lead agency" responsible for administering the State grant under the Act use at least the amount specified by the Secretary to award a contract or grant to the agency established for protection and advocacy services under the Developmental Disabilities Assistance and Bill of Rights Act (the "P and A" agency). The "lead agency" would be authorized to select an organization other than the "P and A" agency (and other than any group within the "lead agency" itself) if the "lead agency" could demonstrate good cause for the selection, to the Governor's satisfaction, and gave the "P and A" agency and individuals with disabilities (or others, as appropriate) 30 days notice of the agency's intention to select another organization, including an explanation for selecting another organization, and an opportunity to respond to the assertion that good cause has been shown. The "P and A" agency would have an opportunity to appeal to the Secretary on the basis that the "lead agency's" selection was not for good cause.

Proposed section 106(d) of the Act would provide that the protection of advocacy requirements would not apply to the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau.

SECTION 11. ASSISTANCE UNDER OTHER LAWS

Section 11 of the bill would amend proposed section 201(c) of the Act (as redesignated) by providing that nothing in the Act as amended shall be construed to permit the State or any Federal agency to reduce medical or other assistance available, or alter eligibility, under any other Federal laws, including those laws noted in section 105(c) of current law.

SECTION 12. EVALUATION AND DATA COLLECTION

Section 12 of the bill would amend proposed section 202 of the Act (as redesignated) by removing provisions for an evaluation that the Department had already completed, and adding a provision allowing the Secretary to conduct such evaluation activities as the Secretary deems necessary to monitor progress of States and evaluate program effectiveness. This provision would authorize the Secretary to collect data and other types of information from sources that would include States receiving grants under the Act.

SECTION 13. TECHNICAL ASSISTANCE AND INFORMATION

Section 13 of the bill would amend proposed title II of the Act by adding a section

concerning technical assistance and information. Under this new section (proposed section 203 of the Act), the Secretary would be required to provide technical assistance with respect to the planning, development, and implementation of comprehensive, consumer-responsive statewide systems of technology-related assistance.

These technical assistance activities would include, in addition to other activities the Secretary considered appropriate, the provision of information and technical assistance regarding: (1) effective approaches to carrying out the activities mandated or authorized under the Act, including effective approaches to carrying out outreach activities to underserved groups; (2) mechanisms for making a successful transition from planning for systems change to its development and implementation, including mechanisms for assessing the effectiveness of the system; (3) Federal, State, and local laws, regulations, and practices that facilitate access to, provision of, and funding for assistive technology devices and assistive technology services; and (4) State and local initiatives that are directed toward achieving the goals of the Act. The Secretary would be required to make this information and technical assistance available to States, organizations providing client assistance or protection and advocacy services for individuals with disabilities, and other appropriate public or private organizations or agencies.

Proposed section 203(b) of the Act would require the Secretary to periodically collect, analyze, and disseminate, on a national basis, information on Federal, State, and local policies and decisions (including decisions as a result of administrative or judicial hearings) that relate to access of funds for assistive technology devices and assistive technology services for individuals with disabilities. The Secretary would be required to make this information available to a variety of individuals in addition to the States, organizations, and agencies noted in proposed section 203(b) of the Act. These individuals would be: (1) individuals with disabilities and their family members, guardians, advocates, and authorized representatives; (2) individuals who work in appropriate public or private organizations or agencies (including insurers); (3) employers; and (4) other appropriate individuals. The inclusion of individuals in this proposed section would ensure access to information on policies and decisions directly by consumers of assistive technology.

SECTION 14. AUTHORIZATION OF APPROPRIATIONS

Section 14(a) of the bill would authorize an appropriation of \$37,744,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out the Act. This extension of the Act would allow any State that wished to participate in the technology-related assistance program to have a reasonable opportunity to do so.

Section 14(b) of the bill would increase the amount that the Secretary is required to reserve in current law for information and technical assistance from 1% of title I appropriations, or \$500,000 (whichever is greater), to the greater of 2% of appropriations for the Act or \$1.5 million. These funds would be used to provide technical assistance and information as required under proposed section 203 of the Act. This section of the bill would also expand the authority of the Secretary to reserve funds not only to conduct onsite visits, as in current law, but also for reviewing participating States (including the use of field readers) and evaluating State programs, (including data collection activities).

SECTION 15. TECHNICAL AND CONFORMING AMENDMENTS

Section 15 of the bill would make technical and conforming amendments to the Act. It would, for example, correct grammatical and typographic errors, update the Act, and amend references to sections of the Act that would be changed by the bill.

SECTION 16. EFFECTIVE DATE

Section 16 of the bill would provide that the amendments proposed under this bill take effect on October 1, 1993.

By Mr. BINGAMAN:

S. 1286. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to award grants to improve wastewater treatment for certain communities in the United States located close to the border between the United States and Mexico, and for other purposes; to the Committee on Environment and Public Works.

COLONIAS WASTEWATER TREATMENT ACT OF 1993
• Mr. BINGAMAN. Mr. President, today, I am introducing a bill that will help address basic wastewater treatment needs of extraordinarily poor and disadvantaged communities along the southwestern border of the United States.

Over 350,000 American citizens or permanent residents live in communities, generally known as colonias, without access to such basic services as indoor plumbing or sewage treatment facilities. The result of this lack of services is apparent in cholera rates higher than the national average and in the contamination of groundwater and rivers of the region by the untreated sewage.

This administration has recognized the need for Federal assistance for these communities and requested funds for EPA to make grants to help solve the wastewater treatment problems. However, debate exists here in Congress over whether there is a legal basis for EPA to make these grants, not whether such grants should be made, and this question of legal authority is currently jeopardizing our ability to carry out a course of action for which there is an immediate need.

I believe that the authority exists. However, I do not want to divert attention from the need to help these communities to a continuing debate over the appropriate legal way to do so. I am therefore proposing that the Clean Water Act be amended by the Colonias Wastewater Treatment Act of 1993 to provide authorization to fund wastewater projects in communities along the United States-Mexican border. By authorizing these programs, we preserve the health of our citizens and our environment.

Mr. President, I ask that the full text of my remarks and this legislation be inserted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1286

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Colonias Wastewater Treatment Act of 1993".

SEC. 2. FINDINGS.

Congress finds that—

- (1) as of the date of enactment of this Act, there is a severe lack of wastewater treatment facilities in the area of the border between the United States and Mexico;
- (2) the lack of facilities is leading to the pollution of rivers and ground water in the area and to environmental degradation; and
- (3) the pollution presents a grave threat to public health through the proliferation of gastrointestinal and infectious diseases.

SEC. 3. GRANTS TO CERTAIN COMMUNITIES.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following new section:

"SEC. 521. GRANTS TO CERTAIN COMMUNITIES.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator is authorized to award a grant for wastewater treatment to—

- "(1) a community that meets the requirements of subsection (b); or
- "(2) a county, municipality, or other political subdivision of a State acting on behalf of a community that meets the requirements of subsection (b).

"(b) ELIGIBLE COMMUNITIES.—A community that meets the requirements of this subsection is a community that—

- "(1) is designated by the State or county in which the community is located as a colonia;
- "(2) is located in the region along the border between the United States and Mexico;
- "(3) the Administrator determines is eligible to receive a grant under this subsection on the basis of objective criteria (including the lack of a potable water supply, an adequate sewage system, or decent, safe, and sanitary housing); and
- "(4) before November 28, 1990, existed as a colonia (as determined by the Administrator).

"(c) USE OF GRANT.—A grant awarded under this section may be used for 1 or more of the following:

- "(1)(A) The construction (including planning, design, repair, extension, improvement, alteration, or reconstruction) of a publicly owned treatment works (including collection lines or interceptor sewers, notwithstanding any limitation otherwise imposed with respect to the provision of assistance for collection lines or interceptor sewers).
- "(B) The acquisition of land, or any easement or other right-of-way, to which the recipient of assistance is not the owner (at the time of receipt assistance), that is necessary to carry out the construction or operation of the publicly owned treatment works, or
- "(2) the final disposal of residues resulting from the treatment of water or waste.

"(3) The disposal of wastewater by surface or underground methods, (or both).

"(d) GRANT AMOUNT.—A grant awarded under this section may be for an amount not to exceed 100 percent of the cost of the project that is the subject of the grant.

"(e) DEFINITIONS.—

"(1) BORDER AREA.—The term 'border area' means the area situated within 100 kilometers on another side of the United States-Mexican International boundary.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the Environmental Protection Agency, to carry out this section, such sums as may be necessary for each of fiscal years 1994 through 2000."

ADDITIONAL COSPONSORS

S. 463

At the request of Mr. BUMPERS, the names of the Senator from Vermont [Mr. LEAHY], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 463, a bill to prohibit the expenditure of appropriated funds on the Superconducting Super Collider Program.

S. 487

At the request of Mr. MITCHELL, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to permanently extend and modify the low-income housing tax credit.

S. 1063

At the request of Mr. HATCH, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1063, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the treatment of a qualified football coaches plan.

S. 1093

At the request of Mr. DURENBERGER, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1093, a bill to amend the Internal Revenue Code of 1986 to repeal the special rule for treatment of foreign trade income of a FSC attributable to military property.

S. 1105

At the request of Mr. COATS, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1105, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of individual medical savings accounts to assist in the payment of medical and long-term care expenses, to provide that the earnings on such accounts will not be taxable, to allow rollovers of such accounts into individual retirement accounts, and for other purposes.

S. 1118

At the request of Mr. HATFIELD, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1118, a bill to establish an additional National Education Goal relating to parental participation in both the formal and informal education of their children, and for other purposes.

S. 1160

At the request of Mr. HATFIELD, the names of the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of S. 1160, a bill to amend the Public Health Service Act to provide grants to entities in rural areas that design and implement innovative approaches to improve the availability

and quality of health care in such rural areas, and for other purposes.

S. 1213

At the request of Mr. NUNN, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of S. 1213, a bill to make amendments to the Congressional charter for Group Hospitalization and Medical Services.

S. 1273

At the request of Mr. BOND, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1273, a bill to enhance the availability of credit in disaster areas by reducing the regulatory burden imposed upon insured depository institutions to the extent such action is consistent with the safety and soundness of the institutions.

S. 1274

At the request of Mr. BUMPERS, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Alabama [Mr. HEFLIN], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of S. 1274, a bill to authorize funding for certain Small Business Administration programs, and for other purposes.

S. 1276

At the request of Mr. LEAHY, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 1276, a bill to extend for 3 years the moratorium on the sale, transfer or export of antipersonnel landmines abroad, and for other purposes.

SENATE JOINT RESOLUTION 9

At the request of Mr. THURMOND, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

SENATE JOINT RESOLUTION 47

At the request of Mr. JOHNSTON, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Michigan [Mr. LEVIN], the Senator from Alabama [Mr. HEFLIN], the Senator from Hawaii [Mr. INOUE], the Senator from New York [Mr. MOYNIHAN], the Senator from Tennessee [Mr. SASSER], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Washington [Mr. GORTON], the Senator from Kansas [Mr. DOLE], the Senator from Texas [Mrs. HUTCHISON], the Senator from Oregon [Mr. PACKWOOD], the Senator from Missouri [Mr. BOND], the Senator from New York [Mr. D'AMATO], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of Senate Joint Resolution 47, a joint

resolution to designate the week beginning on November 21, 1993, and the week beginning on November 20, 1994, each as "National Family Week."

SENATE JOINT RESOLUTION 92

At the request of Mr. MOYNIHAN, the names of the Senator from Louisiana [Mr. BREAUX], the Senator from Delaware [Mr. ROTH], the Senator from Virginia [Mr. ROBB], and the Senator from Nebraska [Mr. EXON] were added as cosponsors of Senate Joint Resolution 92, a joint resolution to designate both the month of October 1993 and the month of October 1994 as "National Down Syndrome Awareness Month."

AMENDMENTS SUBMITTED

NATIONAL SERVICE TRUST ACT OF 1993

DOLE AMENDMENTS NOS. 632 THROUGH 634

(Ordered to lie on the table.)

Mr. DOLE submitted three amendments intended to be proposed by him to the bill (S. 919) a bill to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for National Service, and provide national service educational awards to persons participating in such service, and for other purposes, as follows:

AMENDMENT No. 632

On page 75, between lines 20 and 21, insert the following:

"(e) LIMITATION.—Notwithstanding any other provision of this Act, unless a participant would be eligible, on the first day of the first term of service described in section 139(b) of the participant, to receive a Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) if such participant were a student on such date, the participant shall not be eligible to receive a national service educational award under this section on the basis of any such term of service."

AMENDMENT No. 633

In title I of the Committee amendment, strike section 114 and insert the following:

SEC. 114. REPORTS.

Section 172 of the National and Community Service Act of 1990 (42 U.S.C. 12632) is amended—

(1) in subsection (a)(3)(A), by striking "sections 177 and 113(9)" and inserting "section 177";

(2) in subsection (b)—

(A) by striking "Report to Congress"; and inserting "Report to Congress by Corporation"; and

(B) in paragraph (1), by striking "this title" and inserting "the national service laws"; and

(3) by adding at the end the following:

"(c) REPORT TO CONGRESS BY SECRETARY OF DEFENSE.—

"(1) STUDY.—The Secretary of Defense shall annually conduct a study of the effect of the programs carried out under this title on recruitment for the Armed Forces."

"(2) REPORT.—The Secretary of Defense shall annually submit a report to the appropriate committees of Congress containing the findings of the study described in paragraph (1) and such recommendations for legislative and administrative reform as the Secretary may determine to be appropriate."

AMENDMENT No. 634

On page 33, after line 24, add the following:

"(4) RESERVATION.—

"(A) SUPPLEMENTAL GRANTS.—In distributing the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of subsections (a) and (c), the Director shall reserve 80 percent of the funds available to make grants under paragraphs (1) and (2) in order to make supplemental grants to entities that—

"(i) receive a grant to carry out a national service program under paragraph (1) or (2);

"(ii) demonstrate that the entity has received a substantial number of applications for placement in the national service program of persons who are—

"(I) from an area that is an urban geographical area (as defined by the Secretary of Health and Human Services) in which 50 percent of the residents of the area have incomes below the poverty level and that is an area with a high incidence of violent crime (as determined by the Attorney General);

"(II) veterans, as defined in section 101(2) of title 38, United States Code; or

"(III) individuals with a disability, as defined in section 3(2) of the Americans with Disabilities Act of 1990; and

"(iii) demonstrate that additional funding would enable the national service program to place a substantial number of participants who are persons described in clause (ii).

"(B) REQUIREMENTS.—Funds made available through such a supplemental grant under subparagraph (A) shall be made available for the same purposes, and subject to the same requirements, as funds made available through a grant made under paragraph (1) or (2)."

AGRICULTURE APPROPRIATIONS ACT OF 1993

BUMPERS AMENDMENT NO. 635

Mr. BUMPERS proposed an amendment to the bill (H.R. 2493) making appropriations for the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes, as follows:

On page 13, line 24, strike "\$29,888,000" and insert: "\$32,788,000".

On page 15, line 8, strike "\$71,117,000" and insert: "\$72,467,000".

On page 17, line 8, strike "\$441,852,000" and insert: "\$443,202,000".

On page 20, line 3, strike "\$11,000,000" and insert: "\$11,187,000".

On page 46, line 17, strike "\$22,250,000" and insert: "\$70,000,000".

On page 53, between lines 14 and 15, insert:

"AGRICULTURAL RESOURCE CONSERVATION DEMONSTRATION PROGRAM ACCOUNT

"For loan guarantees authorized under sections 1465-1469 of Public Law 101-624, for the Agricultural Resource Conservation Demonstration Program, \$6,799,000 to any state

defined as eligible under section 1465(c)(3)(A) of that Act. For the cost, as defined in section 502 of the Congressional Budget Act of 1974, \$3,599,000."

On page 72, line 11, strike "\$503,635,000" and insert: "\$490,184,000".

On page 72, line 13, strike "\$51,641,000" and insert: "\$50,261,000".

On page 73, line 9, strike "\$387,849,000" and insert: "\$377,490,000".

On page 88, line 1, strike "\$25,000" and insert: "\$100,000".

On page 88, line 3, before the period, insert: "Provided, That average acre costs shall not exceed \$700".

On page 90, strike lines 3 through 9.

REID (AND OTHERS) AMENDMENT NO. 636

Mr. REID (for himself, Mr. BROWN, and Mr. BRYAN) proposed an amendment to the bill, H.R. 2493, supra, as follows:

On page 87, between lines 12 and 13, insert the following new section:

SEC. 722. None of the funds appropriated or otherwise made available by this Act shall be used to operate a regional office of the Rural Development Administration after April 1, 1994.

REID (AND OTHERS) AMENDMENT NO. 637

Mr. REID (for himself, Mr. BROWN, and Mr. BRYAN) proposed an amendment to the bill, H.R. 2493, supra, as follows:

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to operate the Board of Tea Experts established under section 2 of the Act entitled "An Act to prevent the importation of impure and unwholesome tea", approved March 2, 1897 (21 U.S.C. 42) (commonly known as the "Tea Importation Act"). Except as specifically provided in the preceding sentence, the authority of the Commissioner of Food and Drugs shall not be affected by this section.

BROWN AMENDMENT NO. 638

Mr. BROWN proposed an amendment to the bill H.R. 2493, supra, as follows:

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. (a) None of the funds appropriated or otherwise made available by this Act shall be used by the Secretary of Agriculture to provide a total amount of payments to a person to support the price of honey under section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446h) and section 405a of such Act (7 U.S.C. 1425a) in excess of \$50,000 in the 1994 crop year.

NATIONAL SERVICE TRUST ACT OF 1993

GRAMM AMENDMENTS NOS. 639 THROUGH 642

(Ordered to lie on the table.)

Mr. GRAMM submitted four amendments intended to be proposed by him to the bill, S. 919, supra, as follows:

AMENDMENT NO. 639

At the appropriate place, insert the following:

"() PROHIBITION ON POLITICAL ACTIVITIES.—

"(1) IN GENERAL.—An application submitted to the Corporation under section 130 shall include an assurance by the applicant that any national service program carried out under section 121 will not be used to—

"(A) provide political seminars, training, instruction, lectures, classes or speeches;

"(B) assist political organizations, partisan organizations or political appointees;

except that, with respect to speeches, this subsection shall not apply to political appointees who are responsible for the administration of a national service program.

"(2) ENFORCEMENT.—If the Corporation determines that a national service program has failed to comply with the assurances provided under paragraph (1), the Corporation shall—

"(A) prohibit the program from recruiting or selecting individuals to participate in the program during the 2-year period beginning on the date the Corporation determines the non-compliance commenced; and

"(B) direct the program to terminate the employment of the supervisors determined to be involved in the noncompliance.

AMENDMENT NO. 640

At the appropriate place, insert the following:

"() PROHIBITION ON POLITICAL ACTIVITIES.—

"(1) IN GENERAL.—An application submitted to the Corporation under section 130 shall include an assurance by the applicant that any national service program carried out under section 121 will not be used to—

"(A) provide political seminars, training, instruction, lectures, classes or speeches;

"(B) assist political organizations, partisan organizations or political appointees;

except that, with respect to speeches, this subsection shall not apply to political appointees who are responsible for the administration of a national service program.

"(2) ENFORCEMENT.—If the Corporation determines that a national service program has failed to comply with the assurances provided under paragraph (1), the Corporation shall—

"(A) prohibit the program from recruiting or selecting individuals to participate in the program during the 2-year period beginning on the date the Corporation determines the non-compliance commenced; and

"(B) direct the program to terminate the employment of the supervisors determined to be involved in the noncompliance.

AMENDMENT NO. 641

At the appropriate place, insert the following:

"() APPLICATION OF HATCH ACT.—The provisions of subchapter III of chapter 73 of title 5, United States Code, as in effect on July 10, 1993, shall apply to any employee of any entity that receives financial assistance under this Act, if such assistance directly benefits such employee, during any period in which—

"(1) the employee is employed by the entity; and

"(2) the entity is receiving such financial assistance.

AMENDMENT NO. 642

At the appropriate place, insert the following:

"() APPLICATION OF HATCH ACT.—The provisions of subchapter III of chapter 73 of title

5, United States Code, as in effect on July 10, 1993, shall apply to any employee of any entity that receives financial assistance under this Act, if such assistance directly benefits such employee, during any period in which—

"(1) the employee is employed by the entity; and

"(2) the entity is receiving such financial assistance.

DOLE AMENDMENT NO. 643

(Ordered to lie on the table.)

Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 919, supra, as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. FULL FUNDING FOR COOPERATIVE EDUCATION.

No funds may be appropriated to carry out the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), or the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), for a fiscal year unless the amount appropriated pursuant to the authority of section 802(a) of the Higher Education Act of 1965 (20 U.S.C. 1133a(a)) equals or exceeds \$30,000,000 for such fiscal year.

SEC. 2. VOLUNTEERISM.

(a) SECONDARY SCHOOLS.—Section 1566(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2966(b)(1)) is amended by inserting after the first sentence the following new sentence: "Such categories shall include outstanding volunteer programs."

(b) BACHELOR'S DEGREE GRANTING INSTITUTIONS OF HIGHER EDUCATION.—Title XII of the Higher Education Act of 1965 (20 U.S.C. 1141 et seq.) is amended by adding at the end the following new section:

"SEC. 1214. VOLUNTEERISM.

"Notwithstanding any other provision of law, an institution of higher education that provides an educational program for which such institution awards a bachelor's degree shall not be eligible to receive funds under this Act or participate in any student loan program under this Act unless such institution requires each student attending such institution to participate in a volunteer program in order to receive such a degree from such institution."

SEC. 3. EXTENSION OF AUTHORIZATION OF AP- PROPRIATIONS.

(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Section 501 of the National and Community Service Act of 1990 (42 U.S.C. 12681) is amended—

(1) in subsection (a)(1), in subparagraphs (A) and (B), by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995"; and

(2) in subsection (b), by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995".

(b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

(1) NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS AUTHORIZATION.—Section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081) is amended—

(A) in subsection (a)—

(i) in paragraphs (1) and (2), by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995"; and

(ii) in paragraph (3), by striking "through 1993" and inserting "through 1995";

(B) in subsection (b), by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995";

(C) in subsection (c)—

(1) in the first and third sentences of paragraph (1), by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995"; and

(ii) in paragraph (2), by striking "for 1993" and inserting "for each of the fiscal years 1993 through 1995"; and

(D) in subsection (d)—

(i) in paragraph (1)(G), by striking "in fiscal year 1993" and inserting "in each of the fiscal years 1993 through 1995"; and

(ii) in paragraph (4)(B), by striking "through 1993" and inserting "through 1995".

(2) OLDER AMERICANS VOLUNTEER PROGRAMS AUTHORIZATION.—Subsections (a), (b), and (c) of section 502 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082) are amended by striking "for fiscal year 1993" and inserting "for each of the fiscal years 1993 through 1995".

(3) ADMINISTRATION AND COORDINATION AUTHORIZATION.—Section 504(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5084(b)) is amended by striking "through 1993" and inserting "through 1995".

DOMENICI AMENDMENT NO. 644

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 919, supra; as follows:

On page 48, line 11, strike "or".

On page 48, line 20, strike the period and insert "; or".

On page 48, between lines 20 and 21, insert: "(5) any not-for-profit organization, unless such service does not in any way relate to influencing legislation (within the meaning of section 4911(d) of the Internal Revenue Code of 1986).

DOMENICI AMENDMENT NO. 645

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 919, supra, as follows:

On page 28, line 21, strike "33½%" and insert "55%";

On page 31, line 19, strike "33½%" and insert "25%";

On page 33, line 11, strike "33½%" and insert "25%".

COHEN AMENDMENTS NOS. 646 THROUGH 647

(Ordered to lie on the table.)

Mr. COHEN submitted two amendments intended to be proposed by him to the bill, S. 919, supra, as follows:

AMENDMENT NO. 646

Beginning on page 75, strike line 23 and all that follows through page 76, line 4, and insert the following:

"(a) AMOUNT GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive, for each of not more than 2 of such terms of service, a national service educational award between \$1,500 and \$5,000, depending on the expected family contribution for a student, calculated in accordance with part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.) as if the participant were a student at the time of such calculation.

AMENDMENT NO. 647

Beginning on page 75, strike line 23 and all that follows through page 76, line 4, and insert the following:

"(a) AMOUNT GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive, for each of not more than 2 of such terms of service, a national service educational award between \$0 and \$5,000, depending on the expected family contribution for a student, calculated in accordance with part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.) as if the participant were a student at the time of such calculation.

AGRICULTURE APPROPRIATIONS ACT OF 1993

DOMENICI AMENDMENT NO. 648

Mr. DOMENICI proposed an amendment to the bill (H.R. 2493), supra; as follows:

On page 59, at the end of line 13, insert the following:

"Provided, that notwithstanding any other provision of law, the Secretary of the Treasury and the Administrator shall, on the request of the borrower, allow the prepayment or repricing of a loan made by the Federal Financing Bank and guaranteed by the Administrator in accordance with the terms of the applicable loan contract"

BRYAN (AND OTHERS) AMENDMENT NO. 649

Mr. BRYAN (for himself, Mr. KERRY, and Mr. REID) proposed an amendment to the bill, H.R. 2493, supra, as follows:

On page 90, between lines 9 and 10, insert the following new section:

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to support the price of wool or mohair by means of loans, purchases, payments, or other operations.

NATIONAL SERVICE TRUST ACT OF 1993

KASSEBAUM AMENDMENTS NOS. 650 THROUGH 652

(Ordered to lie on the table.)

Mrs. KASSEBAUM submitted three amendments intended to be proposed by her to the bill (S. 919), supra, as follows:

AMENDMENT NO. 650

On page 191, line 7, strike "shall" and insert "may".

AMENDMENT NO. 651

On page 140, lines 17 through 19, strike "to solicit funds for the National Service Trust and other programs and activities authorized under the national service laws and".

On page 226, line 18, strike "solicit and".

On page 228, line 23, strike "solicit,".

On page 229, line 12, strike "solicitation,".

On page 273, strike lines 19 through 22.

On page 273, line 23, strike "363" and insert "362".

On page 274, line 7, strike "364" and insert "363".

On page 274, line 9, strike "365" and insert "364".

On page 274, line 14, strike "366" and insert "365".

On page 275, line 10, strike "367" and insert "366".

On page 277, line 9, strike "368" and insert "367".

On page 277, line 12, strike "369" and insert "368".

On page 277, line 20, strike "370" and insert "369".

On page 278, line 9, strike "371" and insert "370".

On page 278, line 22, strike "372" and insert "371".

AMENDMENT NO. 652

On page 182, line 22, insert ", which may be a State council or commission, or an identified State administrative entity (including a council, a commission, or an entity, in existence on the date of enactment of this section)," after "entity".

STEVENS AMENDMENTS NOS. 653 THROUGH 659

(Ordered to lie on the table.)

Mr. STEVENS submitted seven amendments intended to be proposed by him to the bill (S. 919), supra; as follows:

AMENDMENT NO. 653

On page 96, line 23, strike "1 percent" and insert in lieu thereof "3 percent".

AMENDMENT NO. 654

On page 48, between lines 20 and 21, insert the following:

(b) REGIONAL CORPORATION.—The requirement of subsection (a) relating to an assurance regarding direct benefits to businesses organized for profit shall not apply with respect to a Regional Corporation, as defined under section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g)), that is established in accordance with such Act as a for-profit corporation but that is engaging in not-for-profit activities."

AMENDMENT NO. 655

On page 48, strike line 2 and insert the following:

"(a) IN GENERAL.—Except as provided in subsection (b), an application submitted to the Corporation under"

AMENDMENT NO. 656

On page 16, line 9, insert "engineers," after "staff,".

AMENDMENT NO. 657

On page 159, line 8, strike the period and insert the following: "or a 'Native' as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b))."

AMENDMENT NO. 658

On page 297, line 15, strike the period and insert "or a 'Native' as defined in Section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b))."

AMENDMENT NO. 659

On page 297, strike line 4 through 13, and insert the following:

"(3) INDIAN TRIBE.—The term 'Indian Tribe' means—

(A) an Indian tribe, band, nation, or other organized group or community, including—

(i) any Native village, as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)), whether organized traditionally or pursuant to the Act of June 18, 1934 (commonly known as the 'Indian Reorganization Act'; 48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.); and

(ii) any Regional Corporation or Village Corporation, as defined in subsection (g) or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g) or (j)),

that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians; and

(B) any tribal organization controlled, sanctioned, or chartered by an entity described in subparagraph (A).

NICKLES AMENDMENTS NOS. 660 THROUGH 661

(Ordered to lie on the table)

Mr. NICKLES submitted two amendments intended to be proposed by him to the bill (S. 919), supra, as follows:

AMENDMENT No. 660

Beginning on page 249, strike line 19 and all that follows through page 251, line 13, and insert the following:

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLE B.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, \$45,000,000 for fiscal year 1994, \$46,000,000 for fiscal year 1995, \$47,000,000 for fiscal year 1996, \$49,000,000 for fiscal year 1997, and \$50,000,000 for fiscal year 1998.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

"(i) not more than 63.75 percent shall be available to provide financial assistance under subpart A of part I of subtitle B of title I;

"(ii) not more than 11.25 percent shall be available to provide financial assistance under subpart B of part I of such subtitle; and

"(iii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle.

"(2) SUBTITLES C, D, AND H.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, and to provide national service educational awards under subtitle D of title I, \$100,000,000 for fiscal year 1994, \$100,000,000 for fiscal year 1995, \$100,000,000 for fiscal year 1996, \$100,000,000 for fiscal year 1997, and \$100,000,000 for fiscal year 1998.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, 15 percent shall be made available to provide financial assistance under sections 125 and 126 and under subtitle H of title I.

"(3) SUBTITLE E.—There are authorized to be appropriated to provide financial assistance under subtitle E of title I, such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(4) ADMINISTRATION.—There are authorized to be appropriated for the administration of this Act \$10,000,000 for each of the fiscal years 1994 and 1995, and \$11,000,000 for each of the fiscal years 1996 through 1998.

Beginning on page 286, strike line 17 and all that follows through page 290, line 24, and insert the following:

"SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

"(a) AUTHORIZATIONS.—

"(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I, excluding sections 104(e) and 109, \$45,800,000 for fiscal year 1994, \$47,000,000 for fiscal year 1995, \$48,000,000 for fiscal year 1996, \$50,000,000 for fiscal year 1997, and \$51,000,000 for fiscal year 1998.

"(2) SUMMER PROGRAM.—There are authorized to be appropriated to carry out section 104(e), \$1,000,000 for each of the fiscal years 1994 through 1998.

"(3) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, \$5,600,000 for fiscal year 1994, \$6,000,000 for each of the fiscal years 1995 through 1997, and \$7,000,000 for fiscal year 1998.

"(4) UNIVERSITY YEAR FOR VISTA.—There are authorized to be appropriated to carry out part B of title I, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(5) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I, excluding section 124, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(6) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 124, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(b) SUBSISTENCE.—The minimum level of an allowance for subsistence required under section 105(b)(2), to be provided to each volunteer under title I, may not be reduced or limited in order to provide for an increase in the number of volunteer service years under part A of title I.

"(c) LIMITATION.—No part of the funds appropriated to carry out part A of title I may be used to provide volunteers or assistance to any program or project authorized under part B or C of title I, or under title II, unless the program or project meets the anti-poverty criteria of part A of title I.

"(d) AVAILABILITY.—Amounts appropriated for part A of title I shall remain available for obligation until the end of the fiscal year following the fiscal year for which the amounts were appropriated.

"(e) VOLUNTEER SERVICE REQUIREMENT.—

"(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 124, there shall first be available for part A of title I, including section 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, 4,500 volunteer service years in fiscal year 1996, 5,500 volunteer service years in fiscal year 1997, and 7,500 volunteer service years in fiscal year 1998.

"(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, or C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will detail what is necessary to fully meet this requirement."

SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

"SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

"(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, \$37,054,000 for fiscal year 1994, \$38,000,000 for

fiscal year 1995, \$39,000,000 for fiscal year 1996, \$40,000,000 for fiscal year 1997, and \$41,000,000 for fiscal year 1998.

"(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, \$71,284,000 for fiscal year 1994, \$73,000,000 for fiscal year 1995, \$75,000,000 for fiscal year 1996, \$77,000,000 for fiscal year 1997, and \$78,000,000 for fiscal year 1998.

"(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, \$32,509,000 for fiscal year 1994, \$34,000,000 for fiscal year 1995, \$35,000,000 for fiscal year 1996, and \$36,000,000 for each of the fiscal years 1997 and 1998.

"(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, \$1,000,000 for each of the fiscal years 1994 through 1998."

SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR TITLE IV.

Title V (42 U.S.C. 5081 et seq.) is amended—

(1) by striking section 504;

(2) by inserting the following after section 502:

"SEC. 503. ADMINISTRATION AND COORDINATION.

"(a) IN GENERAL.—There are authorized to be appropriated for the administration of this Act as provided for in title IV, \$40,000,000 for fiscal year 1994, \$41,000,000 for fiscal year 1995, \$42,000,000 for fiscal year 1996, \$43,000,000 for fiscal year 1997, and \$44,000,000 for fiscal year 1998.

"(b) EVALUATION AND CENTER FOR RESEARCH AND TRAINING.—For each of the fiscal years 1994 through 1998, the Director is authorized to expend not less than one-half of 1 percent, and not more than 1 percent, from the amounts appropriated under sections 501 and 502, for the purposes prescribed in sections 416 and 426."; and

AMENDMENT No. 661

At the appropriate place, insert the following new section:

"SEC. . Sunset of Spending Authority.—Notwithstanding any other provision of this Act, the spending authority to provide financial assistance under subtitles C and H of title I, and the spending authority to provide national service educational awards under subtitle D of title I, shall expire at the end of fiscal year 1996."

AGRICULTURE APPROPRIATIONS ACT OF 1993

BRYAN (AND OTHERS) AMENDMENT NO. 662

Mr. BRYAN (for himself, Mr. KERRY, and Mr. REID) proposed an amendment to the bill (H.R. 2493), supra, as follows:

On page 87, line 21, place a period after Act of 1978 and strike everything thereafter through line 23.

NATIONAL SERVICE TRUST ACT OF 1993

NICKLES AMENDMENTS NOS. 663 THROUGH 664

(Ordered to lie on the table.)

Mr. NICKLES submitted two amendments intended to be proposed by him to the bill (S. 919), supra, as follows:

AMENDMENT NO. 663

At the appropriate place in the amendment, insert the following new section:

"SEC. . SUNSET OF SPENDING AUTHORITY.—Notwithstanding any other provision of this Act, the spending authority to provide financial assistance under subtitles C and H of title I, and the spending authority to provide national service educational awards under subtitle D of title I, shall expire at the end of fiscal year 1996."

AMENDMENT NO. 664

At the appropriate place in the amendment, insert the following new sections:

Beginning on page 249, strike line 19 and all that follows through page 251, line 13, and insert the following:

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLE B.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, \$45,000,000 for fiscal year 1994, \$46,000,000 for fiscal year 1995, \$47,000,000 for fiscal year 1996, \$49,000,000 for fiscal year 1997, and \$50,000,000 for fiscal year 1998.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

"(i) not more than 63.75 percent shall be available to provide financial assistance under subpart A of part I of subtitle B of title I;

"(ii) not more than 11.25 percent shall be available to provide financial assistance under subpart B of part I of such subtitle; and

"(iii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle.

"(2) SUBTITLES C, D, AND H.

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, and to provide national service educational awards under subtitle D of title I, \$100,000,000 for fiscal year 1994, \$100,000,000 for fiscal year 1995, \$100,000,000 for fiscal year 1996, \$100,000,000 for fiscal year 1997, and \$100,000,000 for fiscal year 1998.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, 15 percent shall be made available to provide financial assistance under sections 125 and 126 and under subtitle H of title I.

"(3) SUBTITLE E.—There are authorized to be appropriated to provide financial assistance under subtitle E of title I, such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(4) ADMINISTRATOR.—There are authorized to be appropriated for the administration of this Act \$10,000,000 for each of the fiscal years 1994 and 1995, and \$11,000,000 for each of the fiscal years 1996 through 1998.

Beginning on page 286, strike line 17 and all that follows through page 290, line 24, and insert the following:

"SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

"(a) AUTHORIZATIONS.—

"(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I, excluding sections 104(e) and 109, \$45,800,000 for fiscal year 1994, \$47,000,000 for fiscal year 1995, \$48,000,000 for fiscal year 1996, \$50,000,000 for fiscal year 1997, and \$51,000,000 for fiscal year 1998.

"(2) SUMMER PROGRAM.—There are authorized to be appropriated to carry out section 104(e), \$1,000,000 for each of the fiscal years 1994 through 1998.

"(3) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, \$5,600,000 for fiscal year 1994, \$6,000,000 for each of the fiscal years 1995 through 1997, and \$7,000,000 for fiscal year 1998.

"(4) UNIVERSITY YEAR FOR VISTA.—There are authorized to be appropriated to carry out part B of title I, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(5) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I, excluding section 124, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(6) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 124, \$1,000,000 for each of the fiscal years 1994 through 1998.

"(b) SUBSISTENCE.—The minimum level of an allowance for subsistence required under section 105(b)(2), to be provided to each volunteer under title I, may not be reduced or limited in order to provide for an increase in the number of volunteer service years under part A of title I.

"(c) LIMITATION.—No part of the funds appropriated to carry out part A of title I may be used to provide volunteers or assistance to any program or project authorized under part B or C of title I, or under title II, unless the program or project meets the anti-poverty criteria of part A of title I.

"(d) AVAILABILITY.—Amounts appropriated for part A of title I shall remain available for obligation until the end of the fiscal year following the fiscal year for which the amounts were appropriated.

"(e) VOLUNTEER SERVICE REQUIREMENT.—

"(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 124, there shall first be available for part A of title I, including sections 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, 4,500 volunteer service years in fiscal year 1996, 5,500 volunteer service years in fiscal year 1997, and 7,500 volunteer service years in fiscal year 1998.

"(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, and C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will detail what is necessary to fully meet this requirement."

SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

"SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

"(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, \$37,054,000 for fiscal year 1994, \$38,000,000 for fiscal year 1995, \$39,000,000 for fiscal year 1996, \$40,000,000 for fiscal year 1997, and \$41,000,000 for fiscal year 1998.

"(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, \$71,284,000 for fiscal year 1994, \$73,000,000 for fiscal year 1995, \$75,000,000 for fiscal year 1996, \$77,000,000 for fiscal year 1997, and \$78,000,000 for fiscal year 1998.

"(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, \$32,509,000 for fiscal year 1994, \$34,000,000 for fiscal year 1995,

\$35,000,000 for fiscal year 1996, and \$36,000,000 for each of the fiscal years 1997 and 1998.

"(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, \$1,000,000 for each of the fiscal years 1994 through 1998."

SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR TITLE IV.

Title V (42 U.S.C. 5081 et seq.) is amended—

(1) by striking section 504;

(2) by inserting the following after section 502:

"SEC. 503. ADMINISTRATION AND COORDINATION.

"(a) IN GENERAL.—There are authorized to be appropriated for the administration of this Act as provided for in title IV, \$40,000,000 for fiscal year 1994, \$41,000,000 for fiscal year 1995, \$42,000,000 for fiscal year 1996, \$43,000,000 for fiscal year 1997, and \$44,000,000 for fiscal year 1998.

"(b) EVALUATION AND CENTER FOR RESEARCH AND TRAINING.—For each of the fiscal years 1994 through 1998, the Director is authorized to expend not less than one-half of 1 percent, and not more than 1 percent, from the amounts appropriated under sections 501 and 502, for the purposes prescribed in sections 416 and 426."; and

AGRICULTURE APPROPRIATIONS ACT OF 1993

BUMPERS AMENDMENT NO. 665

Mr. BUMPERS proposed an amendment to amendment No. 648 (proposed by Mr. DOMENICI) to the bill, H.R. 2493, supra; as follows:

In lieu of the language proposed to be inserted by said amendment, insert the following:

SEC. 306C. REFINANCING OF LOANS.

(a) IN GENERAL.—A borrower of a loan made by the Federal Financing Bank and guaranteed under section 306 of this Act may, at the option of the borrower, refinance such loan, loan advance, or any portion thereof.

(b) PENALTY.—

(1) DETERMINATION OF PENALTY.—A penalty shall be assessed against a borrower that refinances a loan, loan advance or any portion thereof under this section. Such penalty shall, except as provided by paragraph (2), be equal to the lesser of—

(A) the difference between the outstanding principal balance of the loan being refinanced and the present value of such loan discounted at a rate equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced;

(B) one hundred percent (100%) of the amount of interest for one year on the outstanding principal balance of such loan, loan advance, or any portion thereof being refinanced, multiplied by the ratio which—

(i) the number of quarterly payment dates between the refinancing date and the maturity date of the loan advance, bears to—

(ii) the number of quarterly payment dates between the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced and the maturity date of such loan advance;

(C) one hundred percent (100%) of the amount of interest for one year on the outstanding principal balance of such loan, loan

advance, or any portion thereof being refinanced, plus, for the interval between the date of the refinancing and the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced, the present value of the difference between each payment scheduled for such interval on such loan amount being refinanced and the payment amounts that would be required during such interval on the amount being refinanced if the interest rate on the loan were equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced.

(2) **LIMITATION.**—The penalty provided by section (b)(1)(A) shall be required for a refinancing under this section except that in the case of a loan advanced under an agreement executed before 1984 which permits the repayment or refinancing of such loan advance based on the payment of one year of interest on the outstanding principal balance of such loan advance, a borrower may, in lieu of the penalty required by section (b)(1)(A), pay a penalty as provided by—

(A) section (b)(1)(B) if such loan advance has reached the twelve year maturity required under such loan agreement for such prepayment or refinancing;

(B) section (b)(1)(C) if such loan advance has not reached the twelve year maturity required under such loan agreement for such prepayment or refinancing.

(3) **FINANCING OF PENALTY.**—A borrower may at its option meet the penalty requirements of paragraph (1) by either making a payment in the amount of such required penalty at the time of such refinancing or by increasing the outstanding principal balance of the loan advance that is being refinanced under this section by the amount of such penalty. If a borrower meets the penalty requirements of paragraph (1) by increasing the outstanding principal balance of the loan advance that is being refinanced, the borrower shall make a payment at the time of such refinancing equal to 2.5 percent of the amount of such penalty that is added to the outstanding principal balance of such loan.

(c) **LOAN TERMS AND CONDITIONS AFTER REFINANCING.**—

(1) **IN GENERAL.**—Upon the payment of a penalty as provided by subsection (b), the loan, loan advance, or any portion thereof shall be refinanced at the interest rate described in paragraph (2) for the term or terms selected by the borrower pursuant to paragraph (3).

(2) **INTEREST RATE.**—The interest rate on a loan refinanced under this section shall be determined to be equal to the current cost of funds to the Department of the Treasury for obligations of comparable maturity to the term selected by the borrower pursuant to paragraph (3), but the interest rate on such a refinanced loan shall not exceed 7 percent.

(3) **LOAN TERM.**—Subject to paragraph (4), the borrower of a loan that is refinanced under this section shall select the term for which an interest rate shall be determined pursuant to paragraph (2), and at the end of the term (and any succeeding term selected by the borrower under this paragraph), may renew the loan for another term selected by the borrower.

(4) **MAXIMUM TERM.**—The borrower may not select a term pursuant to paragraph (3) that ends after the maturity date set for such loan before its refinancing under this section.

(5) **EXISTING LOAN.**—The refinancing of a loan pursuant to this section and the inclu-

sion of a penalty in the outstanding principal balance of such refinanced loan, pursuant to paragraph (3), shall not, notwithstanding any other provision of law, be considered the making of a new loan, new loan guarantee or other new credit activity, nor shall refinancing be subject to appropriations or limited by the amount provided during a fiscal year for new loans, loan guarantees or other credit activity, nor may the request of a borrower for such refinancing under this section be denied.

SIMPSON AMENDMENT NO. 666

Mr. COCHRAN (for Mr. SIMPSON) proposed an amendment to the bill (H.R. 2493), supra, as follows:

On page 60, line 15, before the period, insert the following: "Provided, That none of the funds appropriated or otherwise made available by this Act for the programs authorized by chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.) may be used by the Administrator of the Rural Electrification Administration to carry out the programs unless, prior to allocating funds to carry out the programs, the Administrator consults with the Secretary of Education and the Secretary of Health and Human Services, acting through the Director of the Office of Rural Health Policy, concerning the review of applications to participate in the programs and the administration of the programs".

BURNS AMENDMENT NO. 667

Mr. COCHRAN (for Mr. BURNS) proposed an amendment to the bill (H.R. 2493), supra, as follows:

None of the funds in this Act shall be available to pay indirect cost on research (other than Small Business Innovation Research grants) awarded competitively by the Cooperative State Research Service that exceed 14 per centum of total direct costs under each award.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that joint hearings have been rescheduled before the Committee on Energy and Natural Resources and the Subcommittee on Energy and Water Development of the Committee on Appropriations.

The purpose of the hearings is to receive testimony on the superconducting super collider.

The hearing will now take place on Wednesday, August 4, 1993, at 9:30 a.m. and continue at 2:30 p.m. on Wednesday, August 4, 1993. Both hearings will be held in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S.

Senate, Washington, DC 20510, Attention: Paul Barnett and Mary Louise Wagner.

For further information, please contact Paul Barnett or Mary Louise Wagner of the committee staff at 202/224-7569, or Proctor Jones of the Committee on Appropriations at 202/224-0335.

POSTPONEMENT—COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that the hearing originally scheduled before the Committee on Energy and Natural Resources for Monday, August 2, 1993 at 2 p.m. has been postponed. I regret any inconvenience this may have caused.

For further information, please contact Mary Louise Wagner of the committee staff at 202/224-7569.

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee markup of S. 1274, the Small Business Guaranteed Credit Enhancement Act of 1993. The markup will be held on Wednesday, July 28, 1993, at 2:30 p.m., in room 428A of the Russell Senate Office Building.

For further information, please call Patricia Forbes, counsel to the Small Business Committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON EDUCATION, ART AND THE HUMANITIES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Education, Art and the Humanities be authorized to meet for a hearing on School Finance: An Overview, during the session of the Senate on Monday, July 26, 1993, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO WEST VIRGINIA STUDENTS AND SONY STUDENT PROJECT ABROAD

• Mr. ROCKEFELLER. Mr. President, today I would like to offer my sincere praise and recognition to a program which has enabled several West Virginia students to participate in a spectacular learning experience. Thanks to the Sony Corp.'s Student Project Abroad [SSPA] two West Virginia students, Jennifer Patterson of Bluefield and Lisa Cook of Brenton, will join high school students from 24 other States on a 2-week educational excursion to Japan.

As a student years ago, I had the opportunity to study in Japan and it was an extraordinary educational opportunity. This is just one reason why I

am so proud to have nominated these two young women to represent West Virginia this year. I am certain their encounter will be an enlightening cultural experience.

Lisa Cook is 17 years old and will be a senior at Baileysville High School. She is an exceptionally motivated student both in and out of the classroom, and is ranked first in her class of 117 students. Lisa has been studying Japanese for 2 years and on July 21, when she and her fellow SSPA participants arrive in Tokyo, she will finally have the chance to take advantage of her new language skills for the first time.

Jennifer Patterson, who is also 17 years old, will be a senior at Bluefield High School. She, too, is an outstanding student, and is ranked first in her class of 173. Jennifer has had a unique learning opportunity in her years at Bluefield High School; she has been studying Japanese by a satellite communications system. Like most high school students, Jennifer does not have access to firsthand Japanese tutoring in her high school but her determination to learn the language led her to use this innovative teaching program.

Judging from my own experience as a student abroad, I sincerely believe traveling to Japan provides a tremendous motivation to study the Japanese language and culture. The Sony program, and other quality student exchange programs are wonderful cultural and educational opportunities for students.

This is only the second time that I have had the opportunity to nominate students for the Sony program. The first student was in 1991, Tina Dunigan of Twin Branch, WV. Tina had 2 years of Japanese satellite courses before she participated in the Sony program. The following letter which I received from her upon her return to the United States clearly portrays the excitement that many exchange students feel:

DEAR SENATOR ROCKEFELLER: I just wanted to write to let you know how much I appreciate your nominating me for the SSPA 191 trip to Japan. It was definitely a once-in-a-lifetime experience. Like you stated in your previous letter, this would be a great learning experience for me, and it was. The knowledge I gained while there is more than I ever dreamed possible.

We did so many things in Japan, it seems that we were able to fit a year of Japan into two weeks. I stayed at the New Otani Inn in Tokyo, with the exception of a two day stay in Kyoto, where I was able to see the Gion Matsuri Festival, and a three-night stay with my host family. The most outstanding part of the trip was the homestay! My host family went out of their way to see that I had a great time. They took me to the top of Mt. Fuji. I purchased many souvenirs from all the places I went, but the hardened piece of lava I brought back from the top of Mt. Fuji seems to mean the most. To me it is priceless.

I could never put into words what this trip meant to me because there are no words strong enough to express that. But I do consider myself very fortunate to have had this

opportunity. I have gained many life-time friends, not only in the United States, but also in Japan. And now I have a greater knowledge of Japan and its culture. This trip has allowed me to realize the fact, that I would like to return to Japan for a year furthering studies, to become more fluent in the language. I am hoping to pursue a career in translating or something of the sort.

Once again I would like to thank you for your nomination. Because if it were not for you, I would have never had this opportunity. I will never forget this experience, or the knowledge I have gained.

Gratefully yours,

TINA DUNIGAN.

As a result of Tina's experience with SSPA, she is continuing her Japanese studies at Salem-Teikyo University in West Virginia. She will be spending 6 months of the upcoming school year teaching English to both students and adults in Tokyo.

The Sony Student Project Abroad was initiated in 1990 to commemorate Sony Corp. of America's 30th anniversary. The program is geared toward American High School students who share an enthusiastic interest and understanding of science and math; Sony is committed to investing in students who may wish to pursue careers in industry-related and scientific activities. This program has, and will, continue to allow hundreds of students like Lisa, Jennifer, and Tina, who may never otherwise have such an opportunity, to spend 17 days in Japan; touring Sony facilities, witnessing design and engineering presentations, and visiting historical landmarks in the country.

The SSPA is more than a scientific, educational experience; it is also designed to foster a deeper awareness of Japanese custom and culture. The students spend a weekend with a Sony employee and his or her family. They also get the opportunity to spend the day with Japanese high school students, exchanging ideas and experiences and thus nurturing a clearer understanding for future relations between the United States and Japan.

I would like to commend my colleagues who have nominated students from their own States for this wonderful educational program. I am certain that those young men and women to whom you have extended this enriching opportunity will be able to share the same wonderful feelings about the Sony Student Project Abroad as Tina Dunigan has.

I once again, congratulate Lisa Cook and Jennifer Patterson and I wish them my best for their travels this week. I sincerely thank the Sony Corp. for its commitment to this exchange program and fostering awareness among young Americans of Japanese culture.●

COMMENDING WILLIAM "POPSIE" THOMPSON

● Mr. MACK. Mr. President, I would like to take this opportunity to recog-

nize and congratulate one of my constituents, William "Popsie" Thompson, a onetime New York musical performer who is using his musical talents to keep kids off the streets and away from drugs.

In 1986, Popsie Thompson noticed a handful of bored kids hanging around his Sunrise Tailor Shop. It occurred to him that what these kids needed was an activity that would boost their self-esteem as well as encourage them to stay in school and avoid the ever-growing dangers of drug abuse.

Popsie Thompson has formed a non-profit, multiethnic troupe of over 200 young singers and dancers ranging in ages from 2 to 20. This group, known as the Rainbow Crusaders and based in Broward County, FL, has become a fixture at local celebrations and parades and is dedicated to spreading the messages to stay away from drugs and to stay in school, as well as promoting brotherhood and racial harmony throughout the community. The Crusaders have also been honored as the first drug awareness program formally recognized by the Boy Scouts of America.

Popsie and his Crusaders have traveled throughout the State of Florida, as well as to Atlanta. On July 23 of this year, the Crusaders will be embarking on a trip that includes stops in Atlanta, Tennessee, and Washington, DC, where they will be performing on the Capitol Grounds and for the Department of Justice.

As Popsie Thompson and his Rainbow Crusaders are coming to Washington, DC, to perform, I believe it is proper that the U.S. Senate recognize Popsie Thompson for his service to his community and his country, and I am pleased to stand here today in honor of this fine citizen.●

MORE POLITICAL TRIALS IN UZBEKISTAN

● Mr. DECONCINI. Mr. President, it is with great regret that I once again return the attention of this body to the lamentable human rights situation in the former Soviet Republic of Uzbekistan. Despite numerous outcries from United States official and private human rights organizations, and protests from the Chairman-in-Office of the Conference on Security and Cooperation in Europe, Swedish Foreign Minister Magaretha of Ugglas, who visited the country in April 1993, the Uzbek Government continues to flout the international human rights agreements that it has signed.

Over the past year, the human rights situation in Uzbekistan has deteriorated alarmingly. At this moment, virtually all voices of opposition in that country have been silenced through arrest, exile, or violence, including near death from street beatings. Several leaders of the opposition movement

Birlik have been beaten, including as recently as this past May, when Shukhrat Ismatullaev was attacked in the capital of Tashkent. I myself met with Mr. Ismatullaev during my visit to this region in April 1992 and can report that he and other activists who have been arrested or beaten are not violent people; their crime, at least in the eyes of Uzbek President Karimov, is to oppose the one-man, one-party dictatorial rule that President Karimov is taking all measures to impose on that newly independent country.

Other members of opposition groups have been arrested on the basis of undemocratic laws which inhibit freedom of speech, such as the law against "insulting the dignity and honor of the President." Some of you are aware of the case of Mr. Abdumannob Pulatov, who was abducted from the neighboring country of Kyrgyzstan and forced to stand trial under this charge. Other opposition members have also been arrested, and many remain in jail without charge; there is particular concern about the fate of Mr. Abdulla Utaev, who was arrested last year and whose whereabouts and condition remain unknown.

On July 1 of this year, yet another political trial began in Tashkent. Six persons are on trial for their attempt last year to organize the Milli Majlis, Uzbek for National Council, which was to be a round table of political parties and movements that are in opposition to the policies of the current Uzbek Government. Their activities were peaceful, but the response of the Government was to arrest and charge them with "organized activity aimed at particularly dangerous crimes against the state, as well as participation in anti-constitutional activity." Furthermore, the punishment for this crime may even be the death penalty.

The six men currently on trial are: Bobur Shakirov, arrested August 1992; Khazratkul Khudaiberdee, arrested December 1992; Salavat Umurzakov, arrested May 1993; Olim Karimov and Orif Otanazarov, both of whom were arrested last year and then released due to their ill health after considerable pressure on the Uzbek Government from the international community; and Abdulaziz Makhmudov, a film producer who chronicled the activities of the political opposition in Uzbekistan until the government crackdown.

When Helsinki Commission staff met with the chairman of the Uzbek Parliament last month in Washington, the case of these men was raised. From that discussion it was clear that many in the Uzbek Government believe that to say openly that the current Government does not represent the views of all the citizens of Uzbekistan, is grounds for arrest. Perhaps they genuinely do not understand what constitutes the principle of freedom of

speech, which holds that people are free not to accept the legitimacy of any government, as long as their methods are peaceful and they do not act to seek to overthrow through violent means. In Uzbekistan, such people are thrown in prison.

Mr. President, as chairman of the Helsinki Commission, I have felt it my duty to report to my colleagues about the poor situation for human rights in the countries of the CSCE. I supported the membership of all the former Soviet Republics into the CSCE, including the southern Central Asian Republic of Uzbekistan. Some people, both here and in Uzbekistan, have argued that for the United States to press these countries on human rights amounts to cultural imperialism, that we are imposing our values on other people whose values may be different. Yet I must point out to those who make such an argument that we are not pressing the Uzbeks on anything other than those commitments which the Uzbek Government itself signed on to when President Karimov signed the Helsinki Final Act in July 1992. In addition, upon joining the United Nations, the Uzbek Government agreed to abide by all of its documents, including the Universal Declaration on Human Rights. We are, therefore, only asking the Uzbek Government to uphold its commitment to principles to which it voluntarily agreed.

It is sad that the Government of Uzbekistan is so determined to extinguish all forms of political opposition. Indeed, the Government acts as if it is afraid of its own citizens, afraid of their freedom, and thus working actively to suffocate that freedom. It may be true, as President Karimov often claims, that his Government enjoys the widespread support of the citizens of Uzbekistan. If that is true, why then is he so afraid of a few voices of opposition?

Mr. President, in light of the persistent campaign of the Uzbek Government to repress all expression of dissent in that country, I submit that there is no alternative but for the U.S. Congress to deny that country all but humanitarian aid. The Helsinki Commission has already recommended, and will continue to recommend, that Uzbekistan be denied most-favored-nation status until such time as the Government ceases its repressive policies.

I call on President Karimov to cease this repression of the political opposition in his country, and to end the practice of silencing members of opposition groups by trying them on spurious charges. I call on the first president of the new country of Uzbekistan genuinely to implement the democratic principles that he has pledged to uphold.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—H.R. 2492

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 2:15 p.m. on Tuesday, July 27, the Senate proceed to the consideration of calendar No. 148, H.R. 2492, the D.C. appropriations bill; and that the following be the only first-degree floor amendments in order; that they be considered under the following time limitations, with second-degree amendments in order, if they are relevant to the first-degree amendment, and considered under the same time limitation as the first-degree amendment, if applicable; and that there be 1 hour for debate on the bill. The amendments are as follows: An amendment by Senator LOTT regarding domestic partners; and amendment by Senator KOHL that is relevant; an amendment by Senator KOHL that is relevant; an amendment by Senator BYRD that is relevant; an amendment by Senator HATFIELD that is relevant; an amendment by Senator HELMS that is relevant; an amendment by Senator COVERDELL that is relevant; an amendment by Senator NICKLES regarding D.C. statehood, on which there will be 1 hour for debate; an amendment by Senator MURRAY that is relevant; and amendment by Senator MURRAY that is relevant; an amendment by Senator MURRAY that is relevant; an amendment by Senator MURRAY that is relevant; an amendment by Senator MURRAY that is relevant; an amendment by Senator KERRY of Massachusetts that is relevant; an amendment by Senator KERRY of Massachusetts that is relevant; an amendment by Senator GREGG regarding contracting policies, on which there will be 30 minutes for debate; an amendment by Senator BURNS that is relevant; an amendment by Senator BURNS that is relevant.

I further ask unanimous consent that the committee amendments, with the exception of the committee amendment on page 36, line 8 through line 19 on domestic partners, be considered agreed to for purposes of further amendment, with no points of order waived by their adoption; that all amendments must be offered by the close of business on Tuesday, July 27, or they will no longer be in order; and that all time be equally divided in the usual form.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Mr. President, I did not want to raise the question before it was agreed to, but I assume, as we did in this case, if some Senator is necessarily absent, his or her amendment can be offered in his or her behalf.

Mr. MITCHELL. The distinguished Republican leader is correct.

Mr. DOLE. Is it the intent to finish the bill tomorrow, if possible?

Mr. MITCHELL. Yes, it is.

Mr. President, I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

NATIONAL AND COMMUNITY SERVICE TRUST ACT OF 1993

The Senate resumed consideration of the bill.

Mr. MITCHELL. Mr. President, I call for the regular order and request that the national service bill be placed before the Senate.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 919) to amend the National Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, I send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the committee substitute to S. 919, the National and Community Service Trust Act of 1993:

Joseph Lieberman, Ben Nighthorse Campbell, Daniel K. Akaka, Barbara Mikulski, David Pryor, John Glenn, Harry Reid, Barbara Boxer, Wendell Ford, Russell D. Feingold, Dennis DeConcini, Tom Daschle, Carl Levin, Kent Conrad, Byron L. Dorgan, Sam Nunn, Edward Kennedy, Harris Wofford.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the cloture vote occur at a time to be determined by the majority leader following consultation with the Republican leader and that the mandatory quorum be waived with respect to this cloture vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: calendar items numbered 289, 291, 292, 293, 294, and 295. I further ask unanimous consent that the nominees be confirmed en bloc; that any statements appear in the RECORD as if read; that the motions to reconsider be laid upon the table en bloc; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Charles Robert Tetzlaff, of Vermont, to be U.S. Attorney for the District of Vermont for the term of 4 years.

EXECUTIVE OFFICE OF THE PRESIDENT

Alan S. Blinder, of New Jersey, to be a member of the Council of Economic Advisers.

Joseph E. Stiglitz, of California, to be a member of the Council of Economic Advisers.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

G. Edward DeSeve, of Pennsylvania, to be Chief Financial Officer, Department of Housing and Urban Development.

DEPARTMENT OF THE TREASURY

Richard Scott Carnell, of Florida, to be an Assistant Secretary of the Treasury.

SECURITIES AND EXCHANGE COMMISSION

Arthur Levitt, Jr., of New York, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1998.

STATEMENT ON THE NOMINATION OF ARTHUR LEVITT

Mr. DOMENICI. Mr. President, I am pleased to support my friend Arthur Levitt to be the next Chairman of the Securities and Exchange Commission. Taking on the helm of the SEC means becoming the primary guardian of more than 51 million Americans who directly own stock and the tens of million that own stock through institutional investors, which in aggregate totals over \$5 trillion in securities. As our securities markets have become larger, global, and more complex, the role of the SEC's Chairman has become

more challenging. In our ever-changing securities industry, Arthur will lead the SEC to meet the demands of the upcoming years.

From his military experience in the Air Force, becoming president of Shearson Hayden Stone, acting as chairman of the American Stock Exchange during 10 years of expansion, and involvement with Roll Call, Arthur Levitt will bring a wealth of experience to head the SEC. I cannot think of any other individual that is as qualified to guide the regulation of the securities industry.

The mission of the SEC is to protect the integrity of our marketplace. Arthur will continue the SEC tradition of protecting the public interest through an impartial and independent securities and exchange commission.

The SEC has a worldwide reputation for vigilant enforcement of the rules that have allowed our markets to grow without harming the confidence of investors. Under Arthur's command, the SEC will nurture an environment, in which, investor protection and the creation of capital will continue to be the highest priority. Most importantly, I have confidence that the SEC will let the securities exchanges remain efficient, while maintaining an agency of the highest integrity.

Our new SEC Chairman understands that encouragement of an environment that creates an impetus for growing businesses to raise capital is necessary to expand our economy. Having worked in the securities industry for over 30 years, Arthur knows that the SEC needs to be objective while accessible, in order for the Commission to maintain its credibility.

Having run Shearson, Hayden, Stone, Arthur brings an understanding that the SEC needs to function, not as a bureaucratic government agency, but as a business. If other Federal agencies had more leaders like Arthur, many problems of governmental inefficiency could be avoided.

Recently, many Americans have re-deemed their insured certificate of deposits and have opted for the higher returns and greater risk of mutual funds. The SEC needs to protect the confidence of these small investors who have accepted more risk than many realize. Protection of companies and investors is paramount to our economic growth. Without investor confidence, it will be impossible for new capital formation to flourish.

Arthur understands that in the securities market, frivolous lawsuits have been a threat to investors and high-technology companies.

With the explosion of derivative products in the past decade, we need to have a direct line of communication between the marketplace and the regulators. Regulators must be able to preempt any situation which could trigger a crisis similar to the crash in 1987.

Unquestionably, the confirmation vote today has brought a leader from the securities industry to initiate a renewed spirit for the SEC. The protection of the investor and supervision of the issuer, along with the growth and stability of the marketplace are the tasks facing the Securities and Exchange Commission. In the upcoming years, under the guidance of Arthur Levitt, the SEC will continue to let our capital and equity markets expand while maintaining integrity in our markets that make them the finest in the world.

STATEMENT ON THE NOMINATION OF ARTHUR LEVITT

Mr. D'AMATO. Mr. President, I am pleased to rise today to support the confirmation of Arthur Levitt to be Chairman of the Securities and Exchange Commission.

Arthur Levitt has many outstanding qualities—not the least of which is that he is from my home State of New York. As was clear during the Banking Committee's hearing on his nomination, Arthur Levitt promises to be an outstanding Chairman of the SEC.

Over the years, Arthur has been active in the New York community and he has been involved in many aspects of the securities industry. He has been a successful entrepreneur, an effective regulator, and an active investor. As a result, Arthur has a unique perspective of the capital markets that will enable him to achieve the critical balance of fostering industry growth while maintaining investor protection.

The SEC is about to face some new important and complex issues involving market structure and investor protection. The SEC is expected to complete the Market 2000 study—a much anticipated review of the stock market structure—sometime this fall. The SEC, CFTC, and Federal Reserve are also currently studying market risk associated with derivative product trading and whether there is a need for additional regulation.

Questions have also arisen about the need for additional disclosure to and protection of investors who purchase mutual funds. Although the SEC conducted a study on the laws regulating mutual funds, no steps have yet been taken on the study's recommendations.

The SEC Chairman will have to deal with these domestic issues as well as foreign issues that arise as the global capital market continues to evolve. I am confident that Arthur Levitt has the expertise to balance these demands—in addition to developing an agenda of his own.

As SEC Chairman, Arthur Levitt will bring collegiality to the Commission that will benefit both the agency and the industry. It is essential that the Commissioners and staff have input in how to fulfill the agency's mission of ensuring the integrity of our securities markets. A Commission that is united

in purpose will be that much more effective in ensuring a financial market that is safe for investors. In fact, I was pleased to note that Arthur Levitt emphasizes the importance of protecting shareholder's interest during his confirmation hearing.

Mr. President, I also expect that Arthur will bring a sense of new mission to the Commission and I look forward to working with him once he is confirmed to maintain the preeminence of our capital markets.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

MODIFICATION OF AMENDMENT NO. 648, AS AMENDED

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Domenici amendment No. 648, as amended by the Bumpers amendment No. 665, for Senator LEAHY, be modified with the language I now send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The modification is as follows:

"The Rural Electrification Administration Act is amended by adding the following new section":

CAVE CREEK CANYON PROTECTION ACT OF 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 144; that the bill be read three times, passed, and the motion to reconsider the passage of this measure be laid upon the table; that any statements relative to this calendar item appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (H.R. 843) was passed.

ORDER OF PROCEDURE—VOTES ON S. 919

Mr. MITCHELL. Mr. President, I ask unanimous consent that with reference to the votes stacked relative to the Agriculture appropriations bill scheduled to occur on Tuesday, July 27 immediately following the cloture vote on the committee substitute to S. 919, the cloture vote be 15 minutes in duration with an additional 5 minutes under the normal voting rule, and that each succeeding vote in the sequence by 10 minutes in duration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, for the information of the Senate, the order just entered provides that the first rollcall vote with reference to the

cloture motion will be 15 minutes plus an additional allowance of 5 minutes, if necessary, but the three remaining votes with reference to the Agriculture appropriations bill will be 10 minutes each. I repeat and emphasize that the last three votes in the voting sequence will be 10 minutes only. I ask that Senators remain in the Chamber during these votes tomorrow so that they may be completed as scheduled.

FILING OF SECOND-DEGREE AMENDMENTS TO S. 919

Mr. MITCHELL. Mr. President, I ask unanimous consent that with reference to the 10 a.m. cloture vote on the committee substitute to S. 919 Senators may file second-degree amendments until 9:30 a.m. on Tuesday, July 27.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JULY 27, 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m. on Tuesday, July 27; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that the Senate then resume immediately consideration of S. 919 as provided for under a previous order; and that on Tuesday, tomorrow, the Senate stand in recess from 12:30 p.m. until 2:15 p.m. in order to accommodate the respective party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9 A.M. TOMORROW

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 5:51 p.m., recessed until 9 a.m. Tuesday, July 27, 1993.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate July 26, 1993:

EXECUTIVE OFFICE OF THE PRESIDENT

ALAN S. BLINDER, OF NEW JERSEY, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

JOSEPH E. STILTZ, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

G. EDWARD DESEVE, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF THE TREASURY

RICHARD SCOTT CARNELL, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

SECURITIES AND EXCHANGE COMMISSION

ARTHUR LEVITT, JR., OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE TERM EXPIRING JUNE 5, 1996.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

CHARLES ROBERT TETZLAFF, OF VERMONT, TO BE U.S. ATTORNEY FOR THE DISTRICT OF VERMONT FOR THE TERM OF 4 YEARS.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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HOUSE OF REPRESENTATIVES—Monday, July 26, 1993

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, gracious God, that we will receive Your message of joy and the glorious opportunities of life, that we will hear Your word of healing instead of pain, of security instead of anxiety, of hope and faith instead of despair. We admit we have not been the people You would have us be, but we also know that Your spirit of good will is with us in all the moments of life and so we pray this day that Your blessing of peace will accompany us and all your people, now and evermore. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri [Mr. VOLKMER] please come forward and lead the House in the Pledge of Allegiance.

Mr. VOLKMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2348. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1994, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2348), "An act making appropriations for the legislative branch for the fiscal year ending September 30, 1994, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REID, Ms. MIKULSKI, Mrs. MURRAY, Mr. BYRD, Mr. MACK, Mr. BURNS, and Mr. HATFIELD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolutions of

the following titles, in which the concurrence of the House is requested:

S.J. Res. 92. Joint resolution to designate the month of October 1993 as "National Down Syndrome Awareness Month."

S.J. Res. 95. Joint resolution to designate October 1993 as "National Breast Cancer Awareness Month."

S.J. Res. 97. Joint resolution to commemorate the sesquicentennial of the Oregon Trail.

S.J. Res. 99. Joint resolution designating September 9, 1993, and April 21, 1994, each as "National D.A.R.E. Day."

S.J. Res. 101. Joint resolution to designate the week of July 25 through July 31, 1993, as the "National Week of Recognition and Remembrance for Those Who Served in the Korean War."

S.J. Res. 102. Joint resolution to designate the months of October 1993 and October 1994 as "Country Music Month."

S.J. Res. 111. Joint resolution to designate August 1, 1993, as "Helsinki Human Rights Day."

THE FLOOD DISASTER

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, I just returned from my district, and I cannot tell you the devastation and the heartbreak that is out there along the Missouri and Mississippi Rivers, both in my district, of the utter frustration of people along the Missouri who have seen their houses flooded and their businesses ruined. They have seen the water go down. They are starting to clean up and they just get word because of rains in Nebraska, St. Joe, and around Kansas City, heavy rains, it is coming right back up. It is all over again. This has been lasting for weeks.

I am going to ask the Congress to do differently than this House did last Thursday. This House last Thursday, I think, some Members put politics above helping the people.

We have an opportunity tomorrow to take up disaster relief again, to provide some hope for the people out there in my district and all along the Missouri and Mississippi Rivers.

Without the rule being passed, we cannot take up disaster legislation. For those of you who say we have to pay for it first, remember that we did not pay for it in Hurricane Hugo or Andrew or the earthquake in San Francisco. We did not even pay for it for the Kurds in Iraq.

Surely the American people, the people of my district, the people along the Mississippi and Missouri Rivers, surely they are just as important as the Kurds in Iraq.

THE STORY IN THE NUMBERS

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, the most important issue on the minds of the American people is jobs. Whether it be job security or job creation, the public is rightfully concerned about the impact of the Clinton tax plan on jobs.

Well, I have, unfortunately, some bad news. Whether the President knows it or not, he admitted Friday that his plan will not net any more jobs. In fact, his plan will lose jobs.

A report released by the White House shows that the Clinton tax plan supposedly will create 8 million jobs over the next 4 years, but CBO, the official economic judge of the Democratic majority, as the President himself acknowledged, has already concluded that if the administration did nothing, 9.4 million jobs would be created over the same time period.

What does this tell us about the President's plan? Well, it tells us it will kill 1.4 million jobs, and it tells us that the economy would be much better off if we killed the tax plan and started all over again.

This story is in the President's own numbers. If you are for jobs, you cannot be for the Clinton tax plan.

HELP FOR THE REAL ESTATE INDUSTRY

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, nearly 170 Democratic Members of this House have signed a letter urging the conferees who are currently meeting on the reconciliation bill to insist upon the House-passed real estate provisions.

Most of these real estate provisions were necessitated by the mistakes in the 1986 Tax Reform Act, the Senate version of which singled out the real estate industry for punitive treatment. That punitive treatment has resulted in the loss of over \$500 billion of real estate value since that act was passed. More than any other reason, that is why hundreds of banks around the country have folded.

It is also, Mr. Speaker, the reason why our economy cannot fully recover until these provisions, these incentives for investing in real estate are restored. No economy can take a \$500 billion hit and keep on ticking.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Also, Mr. Speaker, it should be known that 70 percent of schools, of police and fire protection, of all municipal services, are dependent upon real estate property taxes throughout the country.

Mr. Speaker, I urge my colleagues to insist on the restoration of the incentives that will bring capital back into the real estate industry.

I will further elaborate on these points in the Extension of Remarks today.

BIG TAXES FOR SMALL BUSINESS

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, Democrats working to raise taxes are talking about the latest changes to their tax bill. But to Americans working to pay taxes it still looks like the largest tax hike in American history.

No one knows this better than America's small business owners. Jack Faris, president of the 607,000 member National Federation of Independent Business, was right. He said the latest version, like the last version "Is a tax bill, pure and simple. It taxes working people. It taxes small business owners. It taxes Social Security. It taxes gasoline. That is not an echo we hear: It is taxes, taxes, taxes."

Mr. Faris accurately points out that the administration's tax bill ignores small business' role as the engine of America's economy. In the latest version, small business owners will have had a 60-percent increase in their tax burden since 1990.

Mr. Speaker, the Democrats' idea of change is big taxes for small business. If you want the car to go faster, you lighten the load, you do not tax the engine. If you want America to create jobs, you do not tax America's job creator—small business—out of business.

□ 1210

CONGRESS MIRED DOWN IN TECHNICALITIES WHEN IT COMES TO HELPING FLOOD VICTIMS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, there were no technicalities when Congress gave money to the Kurds. There were no technicalities when Congress gave billions to protect Kuwait and Saudi Arabia. There were no technicalities when Congress each year gives \$15 billion to everybody overseas. And there were no technicalities when Congress gave billions and billions of dollars to Boris Yeltsin and Russia who need our help so desperately.

However, my colleagues, when it came down to helping American tax-

payers who are literally drowning in 40 feet of water, Congress got mired down in technicalities.

I say today, my colleagues, that Russia, Israel, and Egypt have the best American Congress they could have ever dreamed of, and the American taxpayers better take their Government back.

FOOLING THE AMERICAN PEOPLE—BUT NOT AGAIN

(Mr. GRAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAMS. Mr. Speaker, you can fool some of the people some of the time, but you can't fool all of the people all of the time.

Last fall, candidate Bill Clinton promised tax relief for middle-income Americans.

But when he got to Washington, he said he had bad news: That the deficit was bigger than expected, and that he was going to break his promise and call for a record tax increase instead.

But just last week, Mr. Speaker, we found out that the deficit is now projected to be substantially less than the President claimed back in January.

So has the President reclaimed his promise to give middle-class people a tax break? The answer is no.

You see, Mr. Speaker, it looks like the Clinton administration planned to raise taxes all along, and that the deficit projections were just another smoke screen used to try and hoodwink the American people.

Well, the American people know better. In poll after poll, they have said they want the deficit reduced through spending cuts, not tax increases.

And they know it can be done. Republican proposals in the House and Senate such as the Putting Jobs and the American Family First Act have proven it.

Mr. Speaker, if the President and Democrats in Congress go forward with this unnecessary, massive tax increase, they will have a lot of explaining to do in November 1994. Because the American people will not be fooled again.

SHAME ON CONGRESS

(Mr. TUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUCKER. Mr. Speaker, last week I believe that we shamed this House, for indeed, as we come week after week, day after day, making packaged speeches about tax cuts and what Mr. Clinton has or has not done, the American people were looking at this House and the Members of this body to see whether or not we would act, and not whether or not Mr. Clinton would act. They were crying out from the rooftops

in Missouri, Kansas, and Iowa to see whether or not this Congress was going to bite the bullet and move into action to save its constituents.

Well, Mr. Speaker, we did not do this, and I am woefully ashamed, as a Member of this House, that we did not move with alacrity to save our American people.

My constituents are not in Missouri; they are in California. But as I went back this weekend to talk to my constituents, Mr. Speaker, they could not understand how Members from those areas could not vote to move with all expedition to save America.

Now is the time, Mr. Speaker. We must do it, and we must do it right away.

THE AMERICANS NEED TO HAVE THE FACTS

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, I remind the gentleman that we were willing to stay until that was finished; they were not.

Mr. Speaker, democracy and self-government can only work if Americans have the facts. If citizens cannot be confident of what they hear from their Government, self-government will not work. This administration cannot succeed by relying on political spins and Gergen imagery.

Here is the cheerleader's handbook sent to the Cabinet and other administrative officers of the country. It is called "Hallelujah, Change Is Coming." These four words convey the central concepts we need to communicate.

Then they go on to say, "This is the largest deficit reduction in history." The fact is the national debt will rise a trillion dollars by 1997. It says, "It's the largest spending cut in history." The fact is there are no spending cuts. We will spend more every year than we spent last year. It says, "We will create 8 million jobs." The fact is we will create less jobs than if we did nothing.

Mr. Speaker, I say to my colleagues, You can't govern by the use of body language, and hype and political spin. There are only two things really wrong with this. One is substance, and the other is style.

Mr. Speaker, the Americans need to have the facts.

WASTEWATER TREATMENT FACILITIES FOR ALL

(Mr. COLEMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. COLEMAN. Mr. Speaker, the Nation's attention has focused on the problems experienced by the residents of the Midwest. I sympathize with the

victims of the flood and support disaster relief for those families. I now ask my colleagues to join me to ensure that all Americans have sewage facilities. I am introducing legislation to address the lack of wastewater treatment facilities in communities in the southwest known as colonias.

The lack of sewage disposal means that residents are drinking, washing dishes, and bathing in their own refuse. Not surprisingly, this has serious health consequences. The incidence of hepatitis, shigellosis and amebiasis along the border is two to three times the national average; 15 percent of families in colonias report at least one family member suffers from diarrhea every week; and cholera continues to threaten border communities.

Sadly, some will try to cloud this debate with misinformation. I would just make two points: First, colonias are communities located in the United States; and second, the residents are American citizens and legal permanent residents. This is not about free trade; this legislation seeks nothing more than to protect poor children from becoming sick.

Mr. Speaker, I ask my colleagues to work to address the needs of Americans, wherever they live, and not bow to the misinformed arguments of those who do not know the needs of the region. I am asking for simple justice for children who live in poverty and squalor in the United States. We as a nation should own up to our responsibilities and take care of those least able to care for themselves.

PUTTING FLOOD VICTIMS FIRST

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, thousands of working Americans will be without shelter tonight, having lost their homes to the rising flood waters in the Midwest. Meanwhile, the Democratic leadership in the House is refusing to appropriate relief funds, if it means that they would have to cut a single one of their sacred social welfare programs and pet public work projects. It is time that House Democrats lived up to the campaign promises to put people first instead of putting big Government and their pet projects first. Projects that do not have the first thing to do with the Midwest or with the floods.

My Democratic colleagues would rather turn their backs on innocent flood victims than have to strip out what we all know has no business being in that bill—a social program for teenagers in Los Angeles—far from the Midwest and not flooded in the least. Mr. Speaker, my Republican colleagues and I implore the Democratic leadership to help the flood victims in the

Midwest. Just as those in the Midwest must sacrifice in order to rebuild their homes and businesses, Congress must sacrifice those unrelated pet projects in order to lend a helping hand.

LEE BROWN BRINGS TALENT AND IDEALS TO THE NATIONAL DRUG CONTROL POLICY OFFICE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, I was heartened by the appointment by President Clinton of Lee Brown as the Director of the National Drug Control Policy Office, the so-called drug czar. Mr. Brown brings great talent to the job. He also brings an ideal which I think is very fruitful, and that is that we need to look beyond law enforcement as a means of solving some of our drug problems. Mr. Brown wants to go beyond that, into education of our children about the evil of drugs, and also drug treatment for those who are addicted.

Mr. Brown would have been pleased, I believe, to have attended with me on Saturday, in Louisville, the fourth antidrug seminar put on by Alderman Bill Wilson in which we talk to young people about the horrors of drugs and about the need to stay off drugs.

Because of budgetary constraints here in the House, substantial money was cut from the Federal budget dealing with drug treatment and antidrug education.

□ 1220

Mr. Speaker, I am hopeful that those funds can be restored because I believe that is the secret of the future: Train our children not to get on drugs and then make sure that those who slip are given the chance to get back off drugs.

GET BACK

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, last week the House rejected the handiwork of the Rules Committee on the disaster supplemental rule. The reason was it did not allow the bipartisan Nussle-Penny amendment, which would have paid for the spending.

Then the Rules Committee took the rest of the week off and left the flood victims in the Midwest to wonder if the Federal Government was ever going to help them.

Mr. Speaker, to paraphrase an old Beatles song, "Get Back, Get Back to Where You Once Belonged."

It is a shame that many remain so isolated and so insulated that they cannot adapt to the changes going on in the country. The American people

are tired of business as usual. They want us to act responsibly.

Mr. Speaker, I urge the Rules Committee to get back, and give us a rule the House can accept.

THE NATIONAL GUARD'S ROLE IN THE MIDWEST FLOODS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, National Guard units in the Midwestern States have been called to duty to help their fellow neighbors in these States.

The National Guard has two primary missions: First, when our country has been threatened by an invader here or around the world, they are available to be called to arms; and the second mission, which they are fulfilling today, is to help in domestic crises such as these floods. I am told that over 8,000 National Guardsmen are on duty.

Mr. Speaker, these military civilian-soldiers have the equipment and the proper training to use this equipment on the ground as well as in the air. We are very proud of the National Guard. This Congress over the years has been very generous to these citizen soldiers in making sure that they do have the right equipment, and they are coming through for us.

SEEKING FUNDS FOR OUR FIRST PRIORITY—AIDING DISASTER VICTIMS

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of Georgia. Mr. Speaker, on Friday, the pending order of business was an amendment to reduce the NASA authorization bill by 1.38 percent, or approximately \$500 million.

Mr. Speaker, these funds need to be used for disaster assistance. Unfortunately, the rules of the House prohibit these funds from going directly to disaster assistance.

But, we should continue to reduce spending at every opportunity, so that critical disaster relief will not add further to a climbing deficit. We must prioritize spending, and helping Americans suffering from natural disasters should be first priority.

Mr. Speaker, as debated on the floor last Friday, this is indeed changing the way we do business—but I believe the American people have demanded a change—they support that amazing concept that we should be able to pay for our expenditures. And finally, Mr. Speaker, disaster relief funds should be just that—funds for relief to disaster victims and they should not be used for a welfare enhancement program.

FLOOD RELIEF NOW

(Mr. BARLOW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARLOW. Mr. Speaker, let us move in quick march to free the money our flood-ravaged people now need in our Mississippi Valley. Let us reach out with the best of America in love and financial support to our suffering people. Let us move to confine unuseful rhetorical posturing in debate. Our people need help now. Thankfully, we have our House Rules Committee to help here.

Our Maker is pressing us powerfully with floods, tornadoes, hurricanes, and drought. Let us move quickly in uniting our American family. That is our challenge. That is our test. Let us take quickly this opportunity to inspire young people to help build in strife torn cities. Let us reach out. Recovery from the floods is going to require a series of outlays by Congress. Let us accumulate the sums separately and then move them into budget balancing when we can make prudent and considered offsets.

Mercifully, we rose in the House last week to avoid unhelpful bickering. Let us move with wisdom to reach out and help.

JOBS, JOBS, JOBS

(Mr. BUNNING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUNNING. Mr. Speaker, the President says that we should pass his budget proposal so that it can create jobs, jobs, jobs.

The question is, How, how, how, can raising taxes possibly create jobs?

Fortunately, the media are catching on and starting to ask some questions of their own.

The Washington Times, today, asked "Where are the budget numbers?" OMB and CBO aren't giving us any.

The New York Times asked, today, "How is this proposal different than the 1990 tax bill?" It did not create jobs.

The Wall Street Journal, today, asked the question "What's the theory?" The President has not explained how it is supposed to create those jobs, jobs, jobs he keeps talking about.

Ladies and gentlemen, that is because the President's plan won't, won't, won't, and can't, can't, can't, create jobs, jobs, jobs.

Raising taxes can't and won't create thousands of jobs. It is impossible. Just ask any small business man or woman.

CAPITAL PUNISHMENT

(Mr. LEWIS of Georgia asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, as a Member of this body, I have a moral obligation to express my opposition to the death penalty. Of particular concern is the scheduled execution of Gary Graham in the State of Texas on August 17. Recent evidence—evidence Mr. Graham has never been allowed to use in court—indicates that he may be innocent of the crime of which he is accused.

Mr. Speaker, most nations have abolished the death penalty as a means of punishment. It is a tool of the past. It is barbaric and it is uncivilized. This vile act is not worthy of a great nation.

I believe that in every human being, there is a spark of divinity. As a nation and as a people, we do not have the right to destroy this spark of divinity.

I have written to Governor Richards to stay the execution of Gary Graham. I ask my colleagues to join me in making this appeal.

NET NUMBER OF JOBS SEEMS TO DWINDLE UNDER CLINTON PLAN

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, in January the Congressional Budget Office estimated that if we did nothing by way of economic policy, if we just let the economy follow its natural course, in 4 years we would create 9.4 million new jobs.

Of course, in February the President revealed his economic plan, and at that time many of us who analyzed it said this plan will destroy the job-creating capacity of the private sector of the economy.

The President now releases a new estimate by the White House staff that says if his plan is implemented, the economy will create 8 million new jobs. That is 1.4 million jobs that will not be created and that would have been created if his plan had not been implemented.

It sounds to me, Mr. Speaker, as though we have a perfect reason to believe that if we are to have only 1.4 million new jobs, we should not pass the President's plan. Think about it.

THE UBIQUITOUS SANDBAG

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, this is a sandbag. It is a sandbag that I brought to this House Chamber from Hardin, IL, in my district. I picked it up last Saturday.

For those who live in the Midwest, we have become well acquainted with these sandbags. We have spent hours,

days, weeks, and for some people it seems like a lifetime filling these sandbags to fight this flood.

I went back to the sandbag lines last Saturday in my district, and the people asked me as they were filling these bags, "How could Congress vote against the rule to provide disaster aid for Americans? How could you have 45 Democrats and every single Republican Congressman vote against the rule for disaster aid for Americans?"

One fellow on the sandbag line asked me, "Would it help if we were a foreign country? If we were, could we get the disaster aid a little more quickly?" Another member on the sandbag line said, "Congressman, I have a piece of advice. Tell those Congressmen who don't believe we should help our own here in the United States that they ought to be wearing one of these sandbags over their heads."

□ 1230

DEMOCRAT DISASTER MOVIES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, once you understand that the Clinton administration has gone Hollywood, the strange things going on around this town become a whole lot clearer.

Evidently, President Clinton's Beverly Hills friends have convinced him that disaster movies will be the next hot ticket. The Democrats have taken this to heart, busily cranking out one disaster story after another. We have had Travelgate, Nannygate, Haircutgate, Guiniergate, Post-Office-gate, and Porkgate. This White House has made more gates than a fence company.

The strategy has worked too. The White House has America on the edge of its seat, wondering what will happen next. Well they will not have to wait long, because the administration has saved its biggest disaster epic for last. It's called "Taxman from Tinseltown." Boasting a cost of billions and a cast of millions, this one will have America reaching for its wallets like never before.

AN EXTRAORDINARY THING

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, amid all the tumult of last week's activities on the House floor, an extraordinary thing happened. The House decided not to spend unless it can find the money to pay for it.

By defeating the disaster supplemental rule because it did not allow the Nussle pay-as-you-go amendment,

the House said that spending without funding is no longer an acceptable way of doing things.

That may not seem too radical, but in terms of this House, it is akin to the French Revolution.

Unfortunately, the majority leadership has not caught on. In fact, the majority leader said on the floor last week that we should pay for this emergency out of the national debt, because we have always put emergencies off budget.

Well, Mr. Speaker, because we have always put every emergency off budget in the past, we now have created an even bigger crisis: The national debt of \$4 trillion.

I urge the Rules Committee to get back to work today to come up with a rule that will allow the pay-as-you-go amendment. We need to help the people in the Midwest, and we need to do it in a responsible fashion.

END NATIONAL HELIUM RESERVE'S MONOPOLY

(Mr. COX asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COX. Mr. Speaker, President Clinton and the liberal spenders among us here in the Congress have said we have got to raise taxes because we cannot find any wasteful spending to cut. Well, as chairman of the congressional Grace caucus, I have got a few suggestions. Today's suggestion for a nice way to cut down on the blimped-out Federal budget is to end the national helium reserve and turn it over to private industry.

The National Helium Program was started during the 1920's when, for national security reasons, we needed to be able to fill a fleet of blimps in time of war. The need has passed, but the National Helium Program lives on. Today it is deeply in debt, over \$1 billion, to the Federal Treasury. It is too expensive, it is wasteful, and it is inefficient.

Mr. Speaker, tomorrow we will have the opportunity to end the national helium reserve's monopoly sales to the Government and turn those sales over to private industry, which already produces 90 percent of the helium in this country. The gentleman from Massachusetts [Mr. FRANK] and I will offer this amendment.

Mr. Speaker, vote "yes" on the Cox-Frank amendment to end the national helium reserve's monopoly on sales to NASA, and let us put an end to all of the hot air coming out of Washington.

BLIND SAILOR TO ATTEMPT SOLO JOURNEY ACROSS ATLANTIC

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, even though the all-star game and festivities are over, another day of celebration took place today in Baltimore. For today, in the Inner Harbor of downtown Baltimore, Capt. Hank Dekker launched his historic voyage—that of a blind man attempting to cross the Atlantic on a solo journey to England. Sponsored by the National Federation of the Blind, Mr. Dekker is sailing 3,400 nautical miles on his 30-foot sailboat and is carrying a silver spoon from Baltimore's Stieff Silver Co. to present to Queen Elizabeth upon his successful arrival across the Atlantic.

Senator TOM HARKIN, the author of the Americans with Disabilities Act, which was signed into law 3 years ago today by President George Bush, was on hand to wish a safe voyage to Captain Dekker along with myself, who, christened the sloop the NFB, the National Federation of the Blind. Through the efforts of such organizations like the National Federation for the Blind and men like Captain Dekker, the world can see that disabilities are no more than one more wall to climb over in arriving at their destination.

Mr. Speaker, We wish Captain Dekker and the NFB Godspeed and following seas.

BEST AND WORST COME FORWARD IN FLOOD RELIEF

(Mr. BACHUS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BACHUS of Alabama. Mr. Speaker, we have seen a disaster, no, I would say a calamity, along the Mississippi River. St. Louis, MO, is flooded; so too Quincy, IL, and Des Moines, IA, and hundreds of other communities. But as the gentleman from California [Mr. TUCKER], my Democratic colleague, pointed out, the flood waters did not reach California. In particular, Los Angeles, CA, was not flooded.

In every calamity we have seen the best and the worst of human nature. On TV last night, I saw 11-year-old youngsters who for the last 3 days had worked on the levees, 300 miles away from their homes. But I also saw an account of unscrupulous con artists, and flim-flammers, descending on Mississippi River communities, attracted by an opportunity to take advantage of the people, distracted by the urgency of their plight.

Mr. Speaker, flood relief money for St. Louis is most appropriate. Flood relief money for Quincy and Des Moines in their time of need is necessary and well-deserved: an appropriate response by this body; the best response and a demonstration of our concern and to fulfill our commitment—the best of responses.

But at the same time, the fact that the flood waters did not reach Los An-

geles, CA, did not prevent the gentlewoman from California [Ms. WATERS] from rushing in and putting in this appropriation, a program for teenagers in Los Angeles, which she incorrectly redefines as youth from 13 to 30 years old: a most inappropriate response to the misery and suffering along the Mississippi and Missouri Rivers.

Again, Mr. Speaker, we have seen the best and the worst of responses. We have seen people in this body respond with compassion and commitment, but at the same time, we have seen Members among us attempt to take advantage, to use this vehicle, intended to give relief to flood victims, to accomplish something very different—not intended.

Let us proceed to approve this relief legislation, but properly, in a form that offers what it should: Real flood relief for real flood victims.

GASOLINE TAX INCREASE WILL DO NATION HARM

(Mr. WALKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALKER. Mr. Speaker, over the weekend it was reported that the Democratic leadership of this House has now signed on to the idea of a 60 percent increase in the gas tax. We have heard all the way along that the economic program was supposed to move the economy forward. Well, gas taxes are recessionary, they are inflationary, and they will kill jobs by the hundreds of thousands. Yet this body is about to be asked to raise the Federal gas tax by over 60 percent.

We have also been told that gas taxes were only going to affect the rich. The rich do not pay gas taxes. Gas taxes are a regressive tax that hit hardest at the poor and hit hardest at the people who work for a living.

These gas taxes are a disaster. This economy will be destroyed by them. Anybody who votes for the economic package that includes a 60-percent increase in gas taxes I think will do the Nation a great deal of harm.

□ 1140

ON TAXES AND ECONOMIC GROWTH

(Mr. ZELIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZELIFF. Mr. Speaker, my constituents are getting nervous. They are nervous because a disaster is looming on the horizon. I am not talking about floods, Mr. Speaker, but taxes.

Each day that goes by brings the American people closer to the largest tax increase in our Nation's history. We now are hearing that a new gas tax

is all but certain. So much for the President's pledge that the middle class would not see a tax increase.

I hope our colleagues on the other side of the aisle are listening. A storm of public outrage will hit this town after a regressive gas tax, the Social Security tax, the restaurant tax, and the corporate and individual tax hikes take effect. And no amount of Federal aid will help many of my Democrat friends who voted for this boondoggle.

The President should take a helicopter tour of New Hampshire and assess the damage in my district. He would see businesses struggling in a sluggish economy and families worried about their economic future. He would also see shipyard workers worried that the next round of base closures and the Clinton defense cuts of \$127 billion will take their jobs from them.

Unlike the mighty Mississippi, Mr. Speaker, the President's tax plan is a flood that we can hold back. Let us give America a break. Cut spending first. Let us vote on a plan which will make our economy stronger, not weaker. Let's put our people back to work.

MIDWEST FLOOD RELIEF

(Mr. MANZULLO asked and was given permission to address the House for 1 minute.)

Mr. MANZULLO. Mr. Speaker, I am very much concerned over the attempt by the other side of the aisle to politicize the bailout for flood relief in the Midwest.

The Republicans, this past week, joined by numerous Democrats, voted not to delay funding but to pay for that funding. As I went home to my congressional district, each of which county is a Federal disaster area, with the exception of one, I talked to people who have been affected by the flood. They all agreed that at a time of a national emergency we do not add to the national debt. We cut away from non-essential programs.

The \$3 billion was found from non-essential spending in existing programs to pay for the flood relief. Any attempt to politicize that vote and say that the Republicans do not want flood relief is an outright lie and should not be tolerated in the House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

EXTENDING OPERATION OF MIGRANT STUDENT RECORD TRANSFER SYSTEM

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2683) to extend the operation of the migrant student record transfer system.

The Clerk read as follows:

H.R. 2683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF RECORD TRANSFER SYSTEM.

(a) PROGRAM EXTENSION.—Notwithstanding any other provision of Federal law, the Secretary of Education shall extend the contract for the operation of the migrant student record transfer system under section 1203(a)(2)(A) of the Elementary and Secondary Education Act of 1965 to operate such system until such time as the Secretary of Education determines is necessary, but shall not extend such contract beyond June 30, 1995, without conducting a competition.

(b) PROGRAM MODIFICATION.—Major modification of such system may be made only after consultation with the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2683 would allow the Secretary of Education to extend the existing contract for the operation of the Migrant Student Record Transfer System [MSRTS] until 1995.

The Subcommittee on Elementary, Secondary and Vocational Education, which I chair, is in the process of reauthorizing the Elementary and Secondary Education Act.

Among the recommendations being reviewed by the subcommittee is one which calls for the elimination of MSRTS, authorized under the Migrant Education Act.

This technical amendment provides the Department of Education a short-term extension to continue the existing contract, until the Congress has reached a more definitive position on MSRTS in the course of its reauthorization deliberations.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support the enactment of H.R. 2683, continuing the Migrant Student Record Transfer System [MSRTS] until we have completed the reauthorization process for our Nation's elementary and secondary education programs.

Migrant children are among our Nation's neediest population, with ap-

proximately 50 percent of migrant students dropping out before graduation. Before the existence of MSRTS and the Migrant Education Program, migrant students were often ignored, inappropriately placed below their grade level, and denied access to school because of the absence of health records.

Although I have grave reservations about the ability of the Migrant Student Record Transfer System [MSRTS] to provide for the timely transfer of student records, I am opposed to the elimination of the current system until we have in place another mechanism for insuring the timely transfer of student records. Since the Department of Education, at our request, did not re-compete the current MSRTS contract because it was so close to reauthorization of the chapter 1 Migrant Education Program, the current contract will expire in 6 months if we do not enact this legislation.

H.R. 2683 would continue the current program through June 30, 1995 at which time I would hope we would have in place a new, less costly, and more effective, method of transferring records. In addition, the legislation does not allow for major modifications in the current system as we feel we should not be allowing the use of additional funds for changes in a system which may not be continued. Finally, if MSRTS is continued after June 30, 1995, the Secretary is required to re-compete the contract, thus insuring it will not automatically be returned to the same contractors.

I urge my colleagues to support this measure, which has the support of the administration.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Pennsylvania and I have agreement on the fact that we would like to see, if we do eliminate MSRTS, that we have some alternative. I look forward to working with him to see whether we can develop a more efficient alternative to that, because the needs of these students are a concern to both of us.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the bill, H.R. 2683.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter on H.R. 2683, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ACKNOWLEDGMENT OF FOND DU LAC COUNTY, WI, AS WORLD CAPITAL OF AEROBATICS

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 110) to authorize the Administrator of the Federal Aviation Administration to conduct appropriate programs and activities to acknowledge the status of the county of Fond du Lac, WI, as the World Capital of Aerobatics, and for other purposes.

The Clerk read as follows:

H.J. RES. 110

Whereas the International Aerobic Club, which was founded on February 6, 1970, held its first championships in August 1970 in the county of Fond du Lac, Wisconsin;

Whereas in 1992 the International Aerobic Club had 5,342 members throughout the world, representatives of which gathered in Fond du Lac to compete in the 23d Annual Aerobic Championships during the period of August 9-14, 1992;

Whereas in 1992 the Experimental Aircraft Association and the Board of Directors of the International Aerobic Club named Fond du Lac as the "World Capital of Aerobatics";

Whereas participants and spectators drawn to the aerobics championships in Fond du Lac stimulate the economic well-being of the community and provide a spectator event of international significance; and

Whereas Congress declares that the county of Fond du Lac, Wisconsin, is the "World Capital of Aerobatics": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Federal Aviation Administration may conduct appropriate programs and activities at the Fond du Lac County Airport to acknowledge the status of the county of Fond du Lac, Wisconsin, as the "World Capital of Aerobatics", and that the airport may display signs notifying the public of such status.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. OBERSTAR] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I support House Joint Resolution 110 and urge our colleagues to pass it. This resolution declares the county of Fond du Lac, WI, as the World Capital of Aerobatics. Ever since 1970, the International Aerobatics Club has held its annual championship competition in Fond du Lac. Last year the International Aerobatics Club designated Fond du Lac as the World Capital of Aerobatics and it is most appro-

priate that the House of Representatives make a similar designation. Aerobatics is an important part of aviation in this country as it inspires, excites, and entertains thousands of people at air shows with seemingly impossible maneuvers and tricks. Fond du Lac has contributed enormously to aerobatics, so I am most pleased to bring this resolution to the floor today.

Again, I urge our colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

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Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, As the sponsor of House Joint Resolution 110, I want to express my strong support for this resolution.

House Joint Resolution 110 would recognize Fond du Lac County, which is located in my district in Wisconsin, as the World Capital of Aerobatics.

Since 1970, when the International Aerobic Club was founded in Fond du Lac, representatives have gathered there to compete in the annual aerobics championships.

This year's contest, to be held August 8 through 13, will be the 24th annual competition.

Mr. Speaker, the annual international aerobics championship in Fond du Lac is the world's largest contest held continuously in one location. The name Fond du Lac is known throughout the world among aerobics pilots as representing excellence in aerobics competition.

Similar resolutions acknowledging Fond du Lac as the World Capital of Aerobatics have been passed by the city of Fond du Lac, Fond du Lac County, and the Wisconsin State Legislature. It is appropriate that we, on the national level, also recognize Fond du Lac as the World Capital of Aerobatics.

Finally, I want to express my appreciation to the leadership of the Public Works and Transportation Committee and the Aviation Subcommittee for their cooperation in bringing this resolution to the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume, to conclude by urging our colleagues to support House Joint Resolution 110 and to express my appreciation to the gentleman from Wisconsin [Mr. PETRI], my colleague and neighbor, for his diligence in pursuing this issue and bringing the aerobics program in Fond du Lac to the attention of the committee, and showing with very strong documentation the very substantive work and contribution to aviation that is accomplished through the International Aerobic Club and the work of the branch in Fond du Lac, WI, where so many people work so hard each year to make this event a great success.

It is a tribute to Fond du Lac, it is a tribute to those daring aviators who show to us the skill and the promise and the opportunity of aviation every year in this program.

Again, I congratulate my colleague on bringing this resolution to the committee's attention, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. OBERSTAR] that the House suspend the rules and pass the joint resolution House Joint Resolution 110.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 110, the joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

ARSON PREVENTION ACT OF 1993

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1727) to establish a program of grants to States for arson research, prevention, and control, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1727

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arson Prevention Act of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) arson is a serious and costly problem in both rural and urban areas, and is responsible for approximately 25 percent of all fires in the United States;

(2) arson is a leading cause of fire deaths, accounting for approximately 700 deaths annually in the United States, and is the leading cause of property damage due to fire in the United States;

(3) estimates of arson property losses are in the range of \$2,000,000,000 annually, or approximately 1 of every 4 dollars lost to fire;

(4) the incidence of arson in the United States is seriously underreported, in part because of the lack of adequate participation by local jurisdictions in the National Fire Incident Reporting System (NFIRS) and the Uniform Crime Reporting (UCR) program;

(5) there is a need for expanded training programs for arson investigators;

(6) there is a need for improved programs designed to enable volunteer firefighters to detect arson crimes and to preserve evidence vital to the investigation and prosecution of arson cases;

(7) according to the National Fire Protection Association, of all the suspicious and incendiary fires estimated to occur, only one-third are confirmed as arson; and

(8) improved training of arson investigators will increase the ability of fire departments to identify suspicious and incendiary fires, and will result in increased and more effective prosecution of arson offenses.

SEC. 3. ARSON PREVENTION GRANTS.

The Federal Fire Prevention and Control Act of 1974 is amended by adding after section 24 the following new section:

"ARSON PREVENTION GRANTS

"SEC. 25. (a) IN GENERAL.—The Administrator, through the Office, shall carry out a demonstration program of grant awards, not to exceed 10 in number, to States, or consortia thereof, for programs relating to arson research, prevention, and control. In carrying out the requirements of this section, the Administrator shall award 2-year grants on a competitive, merit basis to States for projects which have one or more of the following goals:

"(1) To improve the training by States leading to professional certification of arson investigators, in accordance with nationally recognized certification standards.

"(2) To provide resources for the formation of arson task forces or interagency organizational arrangements involving police and fire departments and other relevant local agencies such as State arson bureaus and the State fire marshal's office.

"(3) To combat fraud as a cause of arson and to advance research at the State and local levels on the significance and prevention of fraud as a motive for setting fires.

"(4) To provide for management of arson squads, including—

"(A) training courses for fire departments in arson case management, including standardization of investigative techniques and reporting methodology;

"(B) preparation of arson unit management guides; and

"(C) the development and dissemination of new public education materials relating to the arson problem.

"(5) To combat civil unrest as a cause of arson and to advance research at the State and local levels on the prevention and control of arson linked to urban disorders.

"(6) To combat juvenile arson, such as juvenile fire-setter counseling programs and similar intervention programs, and to advance research at the State and local levels on the prevention of juvenile arson.

"(7) To combat drug-related arson and to advance research at the State and local levels on the causes and prevention of drug-related arson.

"(8) To combat domestic violence as a cause of arson and to advance research at the State and local levels on the prevention of arson arising from domestic violence.

"(9) To combat arson in rural areas and to improve the capability of firefighters to identify and prevent arson initiated fires in rural areas and public forests.

"(10) To improve the capability of firefighters to identify and combat arson through expanded training programs, including—

"(A) training courses at the State fire academies; and

"(B) innovative courses developed with the National Fire Academy and made available to volunteer firefighters through regional delivery methods, including teleconferencing and satellite delivered television programs.

"(b) GOALS TO BE REFLECTED IN GRANT AWARDS.—The Administrator shall ensure that each goal described in subsection (a) is embodied within one or more grant awards.

"(c) STATE QUALIFICATION CRITERIA.—In order to qualify for a grant under this section, a State or consortium thereof shall provide assurances adequate to the Administrator that it—

"(1) will obtain at least 25 percent of the cost of programs funded by the grant, in cash or in kind, from non-Federal sources;

"(2) will not as a result of receiving the grant decrease its prior level of spending of funds from non-Federal sources for arson research, prevention, and control programs;

"(3) will use no more than 10 percent of funds provided under the grant for administrative costs of the programs; and

"(4) is making efforts to ensure that all local jurisdictions will provide arson data to the National Fire Incident Reporting System or the Uniform Crime Reporting program.

"(d) EXTENSION.—Grants awarded under this section may be extended for additional periods, at the discretion of the Administrator, subject to the availability of appropriations.

"(e) TECHNICAL ASSISTANCE.—The Office shall provide technical assistance to States in carrying out programs funded by grants under this section.

"(f) CONSULTATION AND COOPERATION.—In carrying out the requirements of this section, the Administrator shall consult and cooperate with other Federal agencies to enhance program effectiveness and avoid duplication of effort, including the conduct of regular meetings initiated by the Administrator with other Federal agencies concerned with arson and concerned with efforts to develop a more comprehensive profile of the magnitude of the national arson problem.

"(g) ASSESSMENT.—The Administrator shall, not later than 18 months after the date of enactment of this section, submit a report to the Congress identifying grants made, specifying the identity of grantees, stating the goals of each grant, and containing a preliminary assessment of the effectiveness of the grants program under this section.

"(h) REGULATIONS.—Within 180 days after the date of enactment of this section, the Administrator shall issue regulations to implement this section, which shall establish procedures for grant applications.

"(i) DEFINITIONS.—For purposes of this section—

"(1) the term 'arson' includes all incendiary and suspicious fires; and

"(2) the term 'Office' means the Office of Fire Prevention and Arson Control of the United States Fire Administration.

"(j) ADMINISTRATION.—The Administrator shall directly administer the grants program required by this section, and shall not enter into any contract under which the grants program or any portion thereof will be administered by another party.

"(k) PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.—

"(1) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this section should purchase, when available and cost-effective, American made equipment and products when expending grant monies.

"(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In allocating grants under this section, the Administrator shall provide to each recipient a notice describing the statement made in paragraph (1) by the Congress."

SEC. 4. VOLUNTEER FIREFIGHTER TRAINING.

Section 24(a)(2) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2220(a)(2)) is amended by inserting "with particular emphasis on the needs of volunteer firefighters for im-

proved and more widely available arson training courses" after "detection, and control".

SEC. 5. CPR TRAINING.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

"SEC. 32. CPR TRAINING.

"No funds shall be made available to a State or local government under section 25 unless such government has a policy to actively promote the training of its firefighters in cardiopulmonary resuscitation."

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrator of the United States Fire Administration—

(1) \$500,000 for fiscal year 1994 for basic research on the development of an advanced course on arson prevention;

(2) \$2,000,000 for fiscal year 1995 for the expansion of arson investigator training programs at the National Fire Academy under section 24 of the Federal Fire Prevention and Control Act of 1974, at the Federal Law Enforcement Training Center, and at the Federal Bureau of Investigation Academy, or through regional delivery sites;

(3) \$4,000,000 for each of the fiscal years 1994 and 1995 for carrying out section 25 of the Federal Fire Prevention and Control Act of 1974; and

(4) \$250,000 for each of the fiscal years 1994 and 1995 for salaries and expenses for carrying out such section 25.

SEC. 7. SUNSET.

Notwithstanding any other provision of this Act, no funds are authorized to be appropriated for any fiscal year after fiscal year 1995 for carrying out the programs for which funds are authorized by this Act, or the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. BOUCHER] will be recognized for 20 minutes, and the gentleman from New York [Mr. BOEHLERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. BOUCHER].

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1727 was developed in response to requests from the fire service community nationally to provide Federal support to help stem a growing problem with the offense of arson. Each year more than 500,000 fires are intentionally set in the United States, resulting in more than 700 deaths and resulting in property losses that, on an annual basis, exceed \$2 billion.

The crime poses very special problems for firefighters and for law enforcement officers alike. It is difficult to detect and it is even more difficult to prove in court, because often times the best evidence that an arson has occurred is incinerated with the building.

It is estimated that of all suspicious and incendiary fires that occur on an annual basis, only one-third can be confirmed as arson offenses, and only 2 percent of those offenses actually lead to conviction.

Better training for firefighters in knowing the science of arson and knowing how to preserve the evidence is obviously needed. H.R. 1727 is the

Federal response to that need. It establishes advanced courses in arson detection and expands investigator training programs at the National Fire Academy and at the National Law Enforcement Training Center.

It provides for demonstration program grants to States to devise new means of combatting arson and then establishes a mechanism for the sharing of information concerning most of those State-initiated programs with the firefighter community nationwide, and it authorizes a modest \$4.8 million in fiscal year 1994 and \$6.3 million for fiscal year 1995 in order to carry out these activities.

The legislation has been endorsed by the fire services community nationally, comprised of the professional and volunteer fire departments across the Nation, and it is the No. 1 legislative priority of the fire services community for the 103d Congress.

I would like to say a word of thanks to the gentleman from New York [Mr. BOEHLERT], the ranking Republican member of our Subcommittee on Science, Space, and Technology. Mr. BOEHLERT has been tremendously helpful over the years in terms of developing a variety of national responses to many problems concerning firefighting and fire prevention. He is an acknowledged national leader in this field, and he has contributed very significantly to the structure of this legislation through his suggestions and recommendations, which appear in the text of the bill.

I also want to acknowledge the contributions to this measure of the ranking Republican member of the full Committee on Science, Space, and Technology, the gentleman from Pennsylvania [Mr. WALKER]; to one of our subcommittee colleagues, the gentleman from Minnesota [Mr. MINGE]; to the gentleman from Minnesota [Mr. GRAMS]; to the gentleman from Pennsylvania [Mr. WELDON]; and the gentleman from Maryland [Mr. HOYER]; to other acknowledged leaders in the effort to stem the incidence of fire and associated offenses, such as arson, nationwide.

Mr. Speaker, I am pleased to commend H.R. 1727 to the House.

Mr. Speaker, I reserve the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, arson is one of the most serious crimes facing our country—and one of the most difficult to combat. Each year more than 500,000 fires are purposely set in the United States, killing more than 700 Americans and destroying more than \$2 billion in property. Yet only about 2 percent of the criminals who set these fires are ever convicted.

That's a startling statistic. If we expect to reduce these enormous losses, we have to do a much better job of

catching and convicting the people who set these fires.

And improving enforcement will have another benefit as well. The FBI tells us that youths who set fires—including so-called nuisance fires—often turn to even more troubling criminal activities as they get older. Catching these teenagers may help us divert them from more serious crimes.

H.R. 1727, which I introduced with Mr. BOUCHER, offers a sensible, targeted approach to combatting arson. Passage of this bill will mean that our Nation will have better trained arson investigators, more effective arson prevention programs and a greater focus on the crime of arson within State and local law enforcement agencies.

The Congress has made great strides in recent years in preventing needless death and destruction from fire. We have passed laws encouraging the installation of fire sprinklers and smoke detectors in hotels, Federal office buildings and federally funded housing. But the United States still leads the industrialized world in fire losses. We must do more. This bill is the logical next step in protecting the public safety.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California [Mr. BROWN], the chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise in strong support of H.R. 1727, the Arson Prevention Act of 1993.

Arson is a threat to life and a financial drain on the national economy. Even in my district, arson looms as an increasing threat. Fire data from the San Bernardino County Fire Agency indicate that about 100 arson fires occurred in San Bernardino County this year, or 18 percent more than in 1992. Because of financial stress in my State, the San Bernardino County Fire Agency anticipates that arson fires will increase by 28 to 33 percent by the end of the year.

I want to thank the primary sponsors of the bill, Mr. BOUCHER, chairman of the Subcommittee on Science, and Mr. BOEHLERT, ranking Republican member of the Subcommittee on Science for crafting a bill which will enhance public safety. I also want to recognize Mr. WALKER, ranking Republican member of the Committee on Science, Space, and Technology for his efforts to bring this bill to the floor.

I urge my colleagues to support H.R. 1727, the Arson Prevention Act of 1993, which is the No. 1 priority of all major fire service organizations.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the

distinguished gentleman from Pennsylvania [Mr. WELDON], who is the founding father of the fire services caucus and a leader on this important issue in the Congress.

Mr. WELDON. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise today in strong support of H.R. 1727. As both the founder of the largest caucus and currently a cochairman of the largest caucus in the Congress dealing with fire and emergency services issues, it is especially appropriate we deal with this issue as we are in fact confronting a major disaster in America handled by many of these people who will directly benefit from this legislation, those emergency responders in the midwestern part of our country.

Before I speak to the specifics of the bill, however, Mr. Speaker, I would like to acknowledge the work of the chairman of the subcommittee, the gentleman from Virginia [Mr. BOUCHER], and the ranking member of the subcommittee, the gentleman from New York [Mr. BOEHLERT], who have been real leaders on issues affecting the emergency service community in this Nation since I have been in Congress and long before I got here. The 1½ million men and women who made up the emergency response network in this country appreciate the leadership of both of these men, and on behalf of all of them I thank both gentlemen for their aggressiveness in dealing with this issue. I also might mention the chairman of the full committee, the gentleman from California [Mr. BROWN], and the ranking member, the gentleman from Pennsylvania [Mr. WALKER], who have been equally supportive in issues involving fire and life safety, and have made this committee one of the most friendly committees in the emergency response community in this country.

Sometimes we have worked on contentious issues. I would like to comment about an amendment that was offered 2 weeks ago on the D.C. appropriation bill, where joining with our distinguished colleague, the gentleman from Maryland [Mr. HOYER], we attempted to block an amendment that in fact would cut back the amount of D.C. fire service personnel. The argument was somewhat heated, as many argued that we should not be dictating to the District of Columbia on life safety issues, and in fact we should not be micromanaging, and in fact, if we allowed the staffing level to stay at what we were hoping it would stay, it in fact would be featherbedding. We were told that we should listen to the will of the D.C. government.

I am pleased to announce to my colleagues that last week the D.C. City Council agreed with those of us who in fact supported the higher staffing level for the D.C. Fire Department because of the rightness of the issue. And in fact, we were vindicated on that issue.

The District of Columbia also has a major problem with arson, as does every major city in America. Many of our cities are being aggressive in establishing arson task forces. Seattle is one of those that has led the country. And many of our agency networks have come together. The Alcohol, Tobacco and Firearms, the Federal Bureau of Investigation, along with a group like the Insurance Committee for Arson and Control, and most importantly the International Association of Arson Investigators have come together to force America and to force this body to come to grips with a problem that is costing us a tremendous amount of our resources. We heard earlier we had \$2 billion a year that is lost in terms of damage and destruction to property caused by arson. Some 700 people each year are killed directly as a result of arson fires out of a total of 6,000 deaths each year.

This is the first major legislation in recent years that deals with this issue and attempts to have the Federal Government, which is responsible for the National Fire Academy and the U.S. Fire Administration to provide some support in terms of furnishing the arson investigators, establishing a better reporting system so we can in fact identify the real size of the arson problem in America and begin to assist States and local governments in coming up with task forces and innovative ways to stop the problem of arson from occurring in the future.

This is a landmark piece of legislation for the American fire services. All of the emergency fire services groups, the International Association of Fire Fighters, the National Volunteer Fire Council, the International Association of Fire Chiefs, the National Fire Protection Association, the Manufacturers of Fire Equipment, and all of those groups, especially led by the International Association of Arson Investigators are absolutely supportive of this piece of legislation.

I want to commend my colleagues for bringing it to the floor so quickly and so timely. I want to commend all of those who behind the scenes have worked to make sure that we in Washington are focusing on this terrible issue that is hitting our cities and towns all across America. I urge my colleagues to vote in favor of H.R. 1727 to allow this legislation to move through the process.

Mr. HOYER. Mr. Speaker, today I rise in strong support of H.R. 1727, the Arson Prevention Act of 1993. I rise not only as a Congressman who has experienced the deadly ravages of arson fire in my own district, but as the chairman of the largest caucus in Congress; the congressional fire services caucus.

In the past 10 months in Prince Georges County MD, two high-profile arson fires killed three children. Both fires were deliberately set. One to silence a witness to a shooting and the other possibly resulting from a domestic dispute.

While these children's deaths are horrifying, they become mere statistics in the context of our country's terrible arson problems. It is estimated that during the past 10 years, nearly 5,000 Americans have died in arson fires. This statistic is terrible evidence of the human cost of these arson crimes.

In addition to the human cost, I believe it is also worth noting the economic impact of these crimes as well. Arson is the No. 1 cause of property damage in our country, costing our economy \$2 billion of losses each year. In some of our country's largest cities—Chicago, Detroit, Los Angeles, San Antonio, and San Diego—arson is the primary cause of fires and fire-related deaths. I think this statistic above any other deserves emphasis. Most fires in many of our cities are not accidental. They are deliberately set for reasons that vary as much as the communities they blight. These fires are set for revenge, for murder, for insurance fraud, and for profit. Like most fires, arson is not discriminating in its victims, and more often than not, those most vulnerable—the elderly and children—suffer the worst.

This arson legislation proposes a modest but vital approach to addressing this terrible problem. H.R. 1727 authorizes a number of grants designed to improve the training of the investigators we need to find and convict arsonists across the country and to provide preventative solutions to stopping those most likely to commit this crime.

Moreover, these grants will help local, State, and the Federal Government to pull their resources together in the effort to stop arson. Already the Bureau of Alcohol, Tobacco and Firearms in conjunction with the U.S. Fire Administration and others are beginning a new training program for arson investigators. I have worked hard with these Federal agencies to help start the design and construction of the training facility for this effort.

With H.R. 1727, and the new training initiatives being pushed by our Federal Government, our country can make a good-faith effort to stop the loss of life and property which has devastated and blighted communities in all of our congressional districts. Mr. Speaker, I urge my colleagues to strongly support the Arson Prevention Act of 1993.

Mr. BOEHLERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOUCHER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Virginia [Mr. BOUCHER] that the House suspend rules and pass the bill, H.R. 1727, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 1727, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

NATIONAL INFORMATION INFRASTRUCTURE ACT OF 1993

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1757) to provide for a coordinated Federal program to accelerate development and dissemination of applications of high-performance computing and high-speed networking, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Information Infrastructure Act of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) high-performance computing and high-speed networks have proven to be powerful tools for improving America's national security, industrial competitiveness, research capabilities, and ability to make a wide array of information available for a variety of applications;

(2) Federal programs, such as the High-Performance Computing Program and National Research and Education Network established by Congress in 1991, are vital to the maintenance of United States leadership in high-performance computing and high-speed network development, particularly in the defense and research sectors;

(3) high-performance computing and high-speed networking have the potential to expand dramatically access to information in many fields, including education, libraries, government information dissemination, and health care, if adequate resources are devoted to the research and development activities needed to do so;

(4) high-performance computing and high-speed networking have the potential to expand opportunities for participation for Americans who have disabilities and to improve equality of opportunity, full participation, independent living, and economic self-sufficiency for Americans with disabilities;

(5) the Federal Government should ensure that the applications achieved through research and development efforts such as the High-Performance Computing Program directly benefit all Americans;

(6) the Federal Government should stimulate the development of computing and networking applications and support wider access to network resources so that the benefits of applications so developed can reach the intended users throughout the Nation, including users with disabilities; and

(7) a coordinated, interagency undertaking is needed to identify and promote applications of computing and networking advances developed by the High-Performance Computing Program which will provide large economic and social benefits to the Nation, including new tools for teaching, the creation of digital libraries of electronic information, the development of standards and protocols to make the stores of government information readily accessible by electronic means, and computer systems to improve the delivery of health care.

SEC. 3. APPLICATIONS OF THE HIGH-PERFORMANCE COMPUTING PROGRAM.

The High-Performance Computing Act of 1991 is amended by adding at the end the following new title:

"TITLE III—APPLICATIONS OF COMPUTING AND NETWORKING

"SEC. 301. ESTABLISHMENT OF APPLICATIONS PROGRAM.

"(a) **ESTABLISHMENT.**—The Director, through the Federal Coordinating Council for Science, Engineering, and Technology, shall, in accordance with this title—

"(1) establish a coordinated interagency applications program to develop applications of computing and networking advances achieved under the Program described in section 101, that are designed to be accessible and usable by all persons in the United States, including historically underserved populations and individuals with disabilities, in the fields of education, libraries, health care, the provision of government information, and other appropriate fields; and

"(2) develop a Plan for Computing and Networking Applications (hereafter in this title referred to as the 'Plan') describing the goals and proposed activities of the applications program established under paragraph (1), taking into consideration the recommendations of the advisory committee on high-performance computing and applications established under section 101(b).

The President shall designate the Federal agencies and departments which shall participate in the applications program established under paragraph (1). The applications program may be administered as part of the Program established under section 101.

"(b) **COLLABORATION WITH NON-FEDERAL ENTITIES.**—To the maximum extent possible, the applications program shall involve cost sharing and partnerships among participating Federal departments and agencies, State and local governments, and private sector entities.

"(c) **INTEROPERABLE INFORMATION SYSTEMS.**—In selecting projects for support under this title, special consideration shall be given to projects which will promote development of interconnected and interoperable information systems.

"(d) **NONDEVELOPMENTAL ITEMS.**—In carrying out activities under this Act, Federal departments and agencies shall purchase non-developmental items whenever possible.

"SEC. 302. PLAN FOR COMPUTING AND NETWORKING APPLICATIONS.

"(a) **REQUIREMENT.**—The Plan shall contain a statement of steps which should be taken to implement the applications program established under section 301(a)(1) for the fiscal year in which the Plan is submitted and the succeeding four fiscal years, and shall be submitted to the Congress within one year after the date of enactment of this title. The Plan shall be revised and resubmitted to the Congress at least once each two years thereafter.

"(b) **CONTENTS.**—The Plan shall—

"(1) establish the goals and priorities for the applications program established under section 301(a)(1), consistent with this Act;

"(2) set forth the specific responsibilities of each Federal agency and department participating in the applications program established under section 301(a)(1) to achieve the goals and priorities established under paragraph (1) of this subsection; and

"(3) describe the recommended levels of Federal funding required for each agency and department to carry out the specific responsibilities set forth in paragraph (2) of this subsection.

"(c) **PROGRESS IN IMPLEMENTING PLAN.**—(1) Accompanying the initial submission of the Plan shall be—

"(A) a summary of the achievements of Federal efforts during the preceding fiscal

year to develop computing and networking applications and to advance the technologies on which the applications depend; and

"(B) any recommendations regarding additional action or legislation which may be required to assist in implementing the Plan.

"(2) Accompanying each subsequent submission of the Plan shall be—

"(A) a summary of the achievements of Federal efforts since the previous submission of the Plan to develop computing and networking applications and to advance the technologies on which the applications depend, including an estimate of the number and the demographic diversity of users served in each application; and

"(B) an evaluation of the progress made toward achieving the goals and priorities established under subsection (b)(1);

"(C) a summary of problems encountered in implementing the Plan; and

"(D) any recommendations regarding additional action or legislation which may be required to assist in implementing the Plan.

"SEC. 303. RESPONSIBILITIES OF THE FEDERAL COORDINATING COUNCIL FOR SCIENCE, ENGINEERING, AND TECHNOLOGY.

"The Federal Coordinating Council for Science, Engineering, and Technology shall—

"(1) develop the Plan as provided in section 301(a)(2);

"(2) coordinate the activities of Federal agencies and departments undertaken pursuant to the Plan and report at least annually to the President, through the Chairman of the Council, on any recommended changes in agency or departmental roles that are needed better to implement the Plan; and

"(3) assess, prior to the President's submission to the Congress of the annual budget estimate, each agency and departmental budget estimate for consistency with the Plan and make the results of that assessment available to the appropriate elements of the Executive Office of the President, particularly the Office of Management and Budget.

"SEC. 304. NOTIFICATION REQUIREMENT.

"(a) **REQUIREMENT.**—Each Federal agency and department designated by the President under section 301(a) as a participant in the applications program shall, as part of its annual request for appropriations to the Office of Management and Budget—

"(1) identify each element of its activities which—

"(A) contributes primarily to the implementation of the Plan; or

"(B) contributes primarily to the achievement of other objectives but aids Plan implementation in important ways; and

"(2) identify the portion of its request for appropriations that is allocated to each such element.

"(b) **OFFICE OF MANAGEMENT AND BUDGET REVIEW.**—The Office of Management and Budget shall review each submission received under this section in light of the goals, priorities, and agency and departmental responsibilities set forth in the Plan.

The President's annual budget request shall include a statement of the portion of each appropriate agency or department's annual budget request that is allocated to efforts to achieve the goals and priorities established under section 302(b)(1).

"SEC. 305. NETWORK ACCESS.

"(a) **CONNECTIONS PROGRAM.**—The Plan shall include programs administered by the National Science Foundation to—

"(1) foster the development of network services in local communities which will connect institutions of education at all lev-

els, libraries, museums, and State and local governments to each other; and

"(2) provide funds for the purchase of network services to entities described in paragraph (1), or organizations representing such entities, to connect to the Internet.

Such program shall include funding for the acquisition of required hardware and software and for the establishment of broadband connections to the Internet. Not more than 75 percent of the cost of any project for which an award is made under this subsection shall be provided under this Act.

"(b) **TRAINING.**—The Plan shall include programs administered by the National Science Foundation and other appropriate agencies and departments to train teachers, students, librarians, and State and local government personnel in the use of computer networks and the Internet. Training programs for librarians shall be designed to provide skills and training materials needed by librarians to instruct the public in the use of hardware and software for accessing and using computer networks and the Internet. Training programs shall include programs designed for individuals with disabilities.

"(c) **REPORT.**—The Director shall, within one year after the date of enactment of this title, submit a report to Congress which shall include—

"(1) findings of an examination of the extent to which the education and library communities and State and local government have access to the Internet, including the numbers and the geographic distribution, by type, of institutions having access, and including the numbers of institutions having human/computer interfaces suitable for use by individuals with disabilities;

"(2) a statement of the extent to which broadband connections to the Internet exist for the education and library communities and State and local governments, including the numbers and the geographic distribution, by type, of institutions having access;

"(3) an assessment of the factors limiting access by institutions of education at all levels, libraries, and State and local governments to the Internet and an estimate of the cost of providing universal broadband access for those institutions to the Internet; and

"(4) recommendations for collaborative programs among Federal, State, and local governments and the private sector to expand connectivity to the Internet for educational institutions, libraries, and State and local governments.

"(d) **AUTHORIZATION OF APPROPRIATIONS.**—

From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the National Science Foundation for the purposes of this section, \$15,000,000 for fiscal year 1994, \$30,000,000 for fiscal year 1995, and \$50,000,000 for fiscal year 1996.

"SEC. 306. RESEARCH IN SUPPORT OF APPLICATIONS.

"(a) **IN GENERAL.**—The Plan shall specify the basic and applied research and human resource development activities in areas, such as computer science and engineering, mathematics, computer visualization, and human cognition, that will provide the foundation for achieving the applications included in the Plan. The Plan shall include basic and applied research activities related to the long-range social and ethical implications of applications of high-speed networking and high-performance computing. The Plan shall specify those activities included in the Program under title I which contribute to the development of applications included in the Plan.

"(b) NETWORK SECURITY AND PRIVACY.—The Plan shall specify research programs needed to create means to—

"(1) ensure the security and privacy of transmissions over the Internet and the integrity of digital information accessed via the Internet; and

"(2) facilitate the management and protection of copyrighted information which is accessed via the Internet.

"(c) EASE OF INTERNET USE.—The Plan shall specify research programs needed to develop and demonstrate human/computer interfaces that will simplify access to and use of the Internet by nonspecialists in computing and networking technologies and by individuals with disabilities.

"(d) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated for the purposes of this section, \$6,000,000 for fiscal year 1994, \$15,000,000 for fiscal year 1995, \$20,000,000 for fiscal year 1996, \$20,000,000 for fiscal year 1997, and \$20,000,000 for fiscal year 1998.

"SEC. 307. APPLICATIONS FOR EDUCATION.

"(a) IN GENERAL.—The Plan shall specify projects to develop and apply computing and networking technologies for use in education at all levels from early childhood education through higher education, including projects for the education and training of individuals with disabilities. The National Science Foundation shall be the lead agency for implementing the activities required by this section, and shall consult with the Department of Education in implementing those activities. Activities under this section shall include—

"(1) projects, including support for acquisition of required computer hardware and software, that demonstrate the educational value of the Internet, including cost effectiveness, in providing for advances in distance learning and electronic classrooms, facilitating nationwide communication among educators and students, access to databases of information in digital format, and access to innovative curricular materials;

"(2) development, testing, and evaluation of computer systems, computer software, and computer networks for—

"(A) teacher training, including teachers in special education programs; and

"(B) informal education outside of school, including workforce training in mathematics, science, and technology and in specific job-related skills, including literacy; and

"(3) development, testing, and evaluation of advanced educational software and of network-based information resources.

"(b) ELEMENTARY AND SECONDARY EDUCATION.—In accordance with subsection (a), applications for elementary, secondary, and vocational/technical education shall be designed to complement and strengthen ongoing national, State, and local educational restructuring and reform activities and shall include—

"(1) projects in computing and networking that—

"(A) provide for network connections among elementary and secondary schools in local regions and connections to the Internet to enable students and teachers to—

"(i) communicate with their peers;

"(ii) communicate with educators and students in institutions of higher education; and

"(iii) access educational materials and other computing resources;

"(B) address the needs of rural populations and of urban communities; and

"(C) address the needs of individuals with disabilities;

"(2) collection and dissemination of information about ongoing elementary and secondary educational projects, including special education projects, based on application of computing and networking technologies, and about other educational resources available over the Internet;

"(3) development and evaluation of undergraduate courses in the educational applications of computing and networking for the instruction of students preparing for teaching careers, including courses that will ensure the early familiarization and training of these students in the use of the Internet; and

"(4) development, testing, and evaluation of educational software designed for collaborative use over the Internet, including tools that will enable classroom teachers easily to adapt software to local conditions.

"(c) COOPERATION.—In carrying out the requirements of this section, the National Science Foundation, the Department of Education, and other Federal agencies participating in such activities shall work with the computer hardware, computer software, and communications industries, authors and publishers of educational materials, State education departments, and local school districts, as appropriate.

"(d) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the National Science Foundation for the purposes of this section, \$16,000,000 for fiscal year 1994, \$45,000,000 for fiscal year 1995, \$60,000,000 for fiscal year 1996, \$75,000,000 for fiscal year 1997, and \$75,000,000 for fiscal year 1998.

"SEC. 308. APPLICATIONS FOR HEALTH CARE.

"(a) IN GENERAL.—The Plan shall specify projects to develop and apply high-performance computing and high-speed networking technologies for use in the health care sector, with the goal of improving the quality and enhancing the cost-effectiveness of health care. Special consideration shall be given to applications that are designed to lower health care costs. The Department of Health and Human Services, through the National Institutes of Health and the Centers for Disease Control and Prevention, shall be the lead agency for implementing the activities required by this section.

"(b) CLINICAL INFORMATION SYSTEMS.—In accordance with subsection (a), applications related to clinical information systems shall include—

"(1) testbed networks for linking hospitals, clinics, doctor's offices, medical schools, medical libraries, and universities to enable health care providers and researchers to share medical images and to develop computer-based records;

"(2) software and visualization technology for visualizing the human anatomy and analyzing diagnostic images and records;

"(3) virtual reality technology for simulating surgical and medical procedures;

"(4) collaborative technology to allow several health care providers in remote locations to provide real-time treatment to patients;

"(5) interactive technologies to allow health care providers to monitor, evaluate, and treat patients in nonclinical settings;

"(6) database technology to provide health care providers with access to relevant medical information and literature;

"(7) database technology for storing, accessing and transmitting patients' medical records while protecting the accuracy and privacy of those records;

"(8) numerical simulation of chemical interactions relevant to reducing the time and cost of drug development;

"(9) three dimensional geometric modeling and artificial intelligence methods for interpreting an array of medical images; and

"(10) complex simulations of sociological populations affected disproportionately by selected diseases or disorders.

"(c) HEALTH INFORMATION TO THE PUBLIC.—In accordance with subsection (a), applications related to delivery of health information to the public shall include—

"(1) development, testing, and evaluation of database and network technologies for the storage of consumer-oriented, interactive, multimedia materials for health promotion, and for the distribution of such materials to public access points, such as community health and human service agencies, Centers for Independent Living established by the Rehabilitation Act of 1973, organizations established by title I of the Technology-Related Assistance for Individuals with Disabilities Act of 1988, schools, and public libraries;

"(2) pilot programs to develop, test, and evaluate the effectiveness and cost efficiency of interactive, multimedia materials to assist patients in deciding among health care options;

"(3) development and demonstration of human/computer interfaces to allow nonspecialists in computing and networking technologies ease of access to and use of databases of health information and networks providing health information service; and

"(4) development, testing, and evaluation of database and network access technologies to provide individuals with health information, including health risk appraisal, preventative medical advice, and disease treatment options, which is oriented to nonhealth professionals and which is customized to take into consideration an individual's medical history.

"(d) HEALTH DELIVERY SYSTEMS AND POPULATION DATA SETS.—In accordance with subsection (a), applications for health delivery systems and for gathering population data sets shall include—

"(1) testbed networks and software that permits collaborative communication among local public and private health and human service providers, such as health centers, clinics, entitlement offices, and school-based clinics, to enable health and human service providers to work together in delivering coordinated services for at-risk populations;

"(2) pilot programs to develop high speed communications networks and software for providing health care providers with—

"(A) immediate, on-line access to up-to-date clinic-based health promotion and disease prevention recommendations from the Centers for Disease Control and Prevention and other Public Health Service agencies; and

"(B) a two-way communications link with prevention specialists in State and local health departments, and other agencies with information germane to clinic-based health promotion and disease prevention; and

"(3) development, testing, and evaluation of database technologies to provide clinicians with access to information to guide and assist them in providing diagnosis, providing treatment, and providing advice regarding health promotion and disease prevention to patients, and to facilitate the gathering of systematic population data sets in compatible formats on the efficacy of treatments and on national health trends.

"(e) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated to the Secretary of Health and Human Services for the purposes of this section, \$22,000,000 for fiscal year 1994, \$54,000,000 for fiscal year 1995, \$72,000,000 for fiscal year 1996, \$90,000,000 for fiscal year 1997, and \$90,000,000 for fiscal year 1998.

"SEC. 309. APPLICATIONS FOR LIBRARIES.

"(a) IN GENERAL.—The Plan shall specify projects to develop technologies for 'digital libraries' of electronic information. The National Science Foundation shall be the lead agency for implementing the activities required by this section, and in implementing this section shall take into account the needs of individuals with disabilities.

"(b) DIGITAL LIBRARIES.—In accordance with subsection (a), activities to support the development of digital libraries shall include—

"(1) development of advanced data storage systems capable of storing hundreds of trillions of bits of data and giving thousands of users simultaneous and nearly instantaneous access to that information;

"(2) development of high-speed, highly accurate systems for converting printed text, page images, graphics, and photographic images into electronic form;

"(3) development of database software capable of quickly searching, filtering, and summarizing large volumes of text, imagery, data, and sound;

"(4) encouragement of the development and adoption of common standards and, where appropriate, common formats for electronic data;

"(5) development of computer-based means to categorize and organize electronic information in a variety of formats;

"(6) training of database users and librarians in the use of and development of electronic databases;

"(7) development of means for simplifying the utilization of networked databases distributed around the Nation and around the world;

"(8) development of visualization methods for quickly browsing large volumes of imagery; and

"(9) development of means for protecting copyrighted material in electronic form, including, if technologically feasible, systems with capabilities for electronically identifying copyrighted works and for electronically indicating whether any permission which is required by title 17, United States Code, has been granted by the copyright owner.

"(c) DEVELOPMENT OF PROTOTYPES.—In accordance with subsection (a), the Plan shall provide for the development of prototype digital libraries to serve as testbeds for the systems, software, standards, and methods developed under subsection (b). The development of prototype digital libraries may involve nonprofit, private institutions that collect and maintain specimens, materials, or other items used in research, such as natural history museums. The prototype digital libraries shall be accessible by the public via the Internet. In carrying out this subsection, an evaluation shall be conducted of the suitability and utility of distributing electronic information over the Internet, including cataloging and evaluating the kinds of uses and determining barriers that impair use of the Internet for this purpose.

"(d) DEVELOPMENT OF DATABASES OF REMOTE-SENSING IMAGES.—The National Aeronautics and Space Administration shall develop databases of software and remote-sensing images to be made available over computer networks.

"(e) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated—

"(1) to the National Science Foundation for the purposes of this section, \$8,000,000 for fiscal year 1994, \$16,000,000 for fiscal year 1995, \$22,000,000 for fiscal year 1996, \$32,000,000 for fiscal year 1997, and \$32,000,000 for fiscal year 1998; and

"(2) to the National Aeronautics and Space Administration for the purposes of this section, \$4,000,000 for fiscal year 1994, \$8,000,000 for fiscal year 1995, \$10,000,000 for fiscal year 1996, \$12,000,000 for fiscal year 1997, and \$12,000,000 for fiscal year 1998.

"SEC. 310. APPLICATIONS FOR GOVERNMENT INFORMATION.

"(a) IN GENERAL.—The Plan shall specify projects needed to develop and apply high-performance computing and high-speed networking technologies to provide improved public access to information generated by Federal, State, and local governments, including access by individuals with disabilities.

"(b) LEAD AGENCY.—The President shall designate a lead agency for implementing the activities required by this section. The lead agency shall issue policy guidelines designed to foster—

"(1) a diversity of public and private sources for, and a competitive marketplace in, information products and services based on government information; and

"(2) dissemination of government information to the public on a timely, equitable, and affordable basis and in a manner that will promote the usefulness of the information to the public.

"(c) PROJECTS.—In accordance with subsection (a), projects shall be undertaken which—

"(1) connect depository libraries and other sources of government information to the Internet to enable—

"(A) access to Federal Government information and databases in electronic formats;

"(B) access to State or local government information;

"(C) access to related resources which enhance the use of government information, including databases available through State projects funded pursuant to the Technology-Related Assistance for Individuals with Disabilities Act of 1988; and

"(D) linkages with other libraries and institutions to enhance use of government information; and

"(2) demonstrate, test, and evaluate technologies to increase access to and to facilitate effective use of government information and databases for support of research and education, economic development, and an informed citizenry.

"(d) FEDERAL INFORMATION LOCATOR.—In accordance with subsection (a), an information locator system shall be established which is accessible by the public via the Internet and which provides citations to Federal information and guidance on how to obtain such information.

"(e) AUTHORIZATION OF APPROPRIATIONS.—From sums otherwise authorized to be appropriated, there are authorized to be appropriated for the purposes of this section, \$4,000,000 for fiscal year 1994, \$12,000,000 for fiscal year 1995, \$16,000,000 for fiscal year 1996, \$21,000,000 for fiscal year 1997, and \$21,000,000 for fiscal year 1998."

SEC. 4. HIGH-PERFORMANCE COMPUTING AND APPLICATIONS ADVISORY COMMITTEE.

Section 101(b) of the High-Performance Computing Act of 1991 is amended to read as follows:

"(b) HIGH-PERFORMANCE COMPUTING AND APPLICATIONS ADVISORY COMMITTEE.—(1) The Director shall establish an advisory committee on high-performance computing and applications consisting of non-Federal members, including representatives of the research and library communities, education at all levels, consumer and public interest groups, network providers, and the computer hardware, computer software, telecommunications, publishing, and information industries, who are specially qualified to provide the Director with advice and information on high-performance computing and on applications of computing and networking. The recommendations of the advisory committee shall be considered in reviewing and revising the Program described in this section and the Plan required by section 301(a)(2). The advisory committee shall provide the Director with an independent assessment of—

"(A) progress in implementing the Program described in this section and the Plan required by section 301(a)(2);

"(B) the need to revise the Program described in this section and the Plan required by section 301(a)(2);

"(C) the balance between the components of the activities undertaken pursuant to this Act;

"(D) whether the research, development and demonstration projects undertaken pursuant to this Act are—

"(i) helping to maintain United States leadership in computing and networking technologies and in the application of those technologies; and

"(ii) promoting competitive private sector markets in the provision of products and services related to these technologies and their applications;

"(E) whether the applications developed under title III are successfully addressing the needs of the targeted populations, including assessment of the number of users served by those applications; and

"(F) other issues identified by the Director.

"(2) The advisory committee established under paragraph (1) shall meet not less than once annually, following notice in the Federal Register, for the purpose of receiving oral and written public testimony on the subjects identified in subparagraphs (A) through (F) of paragraph (1). The advisory committee shall compile and submit an annual report to the Director and to the Congress containing the findings and recommendations required under this subsection and summarizing the public testimony received. In addition, the advisory committee may meet periodically as determined by its members.

"(3) The Director shall provide such support as is required to allow the advisory committee established under paragraph (1) to meet and to carry out the responsibilities assigned by this subsection."

SEC. 5. NATIONAL RESEARCH AND EDUCATION NETWORK AMENDMENTS.

Section 102 of the High-Performance Computing Act of 1991 is amended to read as follows:

"SEC. 102. NATIONAL RESEARCH AND EDUCATION NETWORK PROGRAM.

"(a) ESTABLISHMENT.—As part of the Program described in section 101, the National Science Foundation, the Department of Defense, the Department of Energy, the Department of Commerce, the National Aeronautics and Space Administration, the Department of Education, and other agencies participating in the Program shall support the establishment of the National Research

and Education Network Program. The Network Program shall consist of the following components:

"(1) Research and development of networking software and hardware required for developing high-performance data networking capabilities with the goal of achieving the transmission of data at a speed of one gigabit per second or greater.

"(2) Federal experimental test bed networks for—

"(A) developing and demonstrating advanced networking technologies resulting from the activities described in paragraph (1), including any reasonably necessary assessment of the reliability of such technologies under realistic operating conditions; and

"(B) providing connections and associated network services for purposes consistent with this Act which require levels of network capabilities not commercially available.

"(3) Provision of support for researchers, educators, and students to obtain access to and use of the Internet to allow for communication with other individuals in the research and education communities and to allow for access to high-performance computing systems, electronic information resources, other research facilities, and libraries.

"(b) TEST BED NETWORK CHARACTERISTICS.—The test bed networks shall—

"(1) be developed and deployed in coordination with the computer hardware, computer software, telecommunications, and information industries;

"(2) be designed, developed, and operated in collaboration with potential users in government, industry, and research institutions and educational institutions;

"(3) be designed, developed, and operated in a manner which fosters and maintains competition and private sector investment in high-speed data networking within the telecommunications industry;

"(4) be designed and operated in a manner which promotes and encourages research and development leading to the creation of commercial data transmission standards, enabling the establishment of privately developed high-speed commercial networks;

"(5) be designed and operated so as to ensure the application of laws that provide network and information resources security, including those that protect copyright and other intellectual property rights, and those that control access to data bases and protect national security;

"(6) have accounting mechanisms which allow users or groups of users to be charged for their usage of copyrighted materials available over the test bed networks and, where appropriate and technically feasible, for their usage of the test bed networks; and

"(7) be interoperable with Federal and non-Federal computer networks, to the extent appropriate, in a way that allows autonomy for each component network.

"(c) NETWORK ACCESS.—The Federal agencies and departments participating in activities under this section shall develop a plan with specific goals for implementing the requirements of subsection (a)(3), including provision for financial assistance to educational institutions, public libraries, and other appropriate entities. This plan shall be submitted to the Congress not later than one year after the date of enactment of the National Information Infrastructure Act of 1993. Each year thereafter, the Director shall report to Congress on progress in implementing subsection (a)(3).

"(d) RESTRICTION ON USE OF TEST BED NETWORKS.—(1) The Federal test bed networks shall not be used to provide network services that are not related to the activities under paragraphs (1) and (2) of subsection (a) and that could otherwise be provided satisfactorily using commercially available network services. Determination of satisfactory availability shall include consideration of geographic access to and affordability of service, and timeliness and technical performance standards in providing services.

"(2) The requirements of paragraph (1) shall take effect on the date set forth in the report required under paragraph (3).

"(3) Six months following the date of enactment of the National Information Infrastructure Act of 1993, the Director, after consultation with the Federal agencies and departments supporting Federal test bed networks, shall provide a report to Congress which—

"(A) describes the technical developments necessary to allow implementation of paragraph (1);

"(B) determines the earliest feasible date for implementing paragraph (1); and

"(C) sets forth that date as the date on which paragraph (1) shall take effect.

Should the Director subsequently determine that, for technical reasons, the requirements of paragraph (1) can not be imposed on that date, the Director shall, not less than 3 months prior to that date, report to Congress on the reasons for the delay in imposing the requirements of paragraph (1), and shall set forth a new date on which paragraph (1) shall take effect.

"(e) ADVANCED RESEARCH PROJECTS AGENCY RESPONSIBILITY.—As part of the Program, the Department of Defense, through the Advanced Research Projects Agency, shall support research and development of advanced fiber optics technology, switches, and protocols needed to develop the Network Program.

"(f) INFORMATION SERVICES.—The Director shall assist the President in coordinating the activities of appropriate agencies and departments to promote the development of information services that could be provided over the Internet consistent with the purposes of this Act. These services may include the provision of directories of the users and services on computer networks, data bases of unclassified Federal scientific data, training of users of data bases and computer networks, and technology to support computer-based collaboration that allows researchers and educators around the Nation to share information and instrumentation.

"(g) USE OF GRANT FUNDS.—All Federal agencies and departments are authorized to allow recipients of Federal research grants to use grant moneys to pay for computer networking expenses.

"(h) LIMITATION ON USE OF FUNDS.—Development of data communications networks pursuant to this Act shall be through purchase of standard commercial transmission and network services from vendors whenever feasible, and by contracting for customized services when such purchase is not feasible, in order to minimize Federal investment in network hardware and software."

SEC. 6. COMPETITIVE PROCUREMENTS.

Title II of the High-Performance Computing Act of 1991 is amended by adding at the end the following new section:

"SEC. 209. COMPETITIVE PROCUREMENTS.

"The Competition in Contracting Act shall apply to all procurements under this Act of \$25,000 or greater."

SEC. 7. CONFORMING AMENDMENTS.

The High-Performance Computing Act of 1991 is amended—

(1) in section 3(1)—

(A) by amending subparagraph (A) to read as follows:

"(A) accelerate progress toward a universally accessible high-capacity and high-speed data network for the Nation"; and

(B) by striking "Network" and inserting in lieu thereof "Internet" in subparagraph (C);

(2) in section 4—

(A) by redesignating paragraphs (1), (2), (3), (4), and (5) as paragraphs (2), (7), (8), (10), and (12), respectively;

(B) by inserting before paragraph (2), as so redesignated by subparagraph (A) of this paragraph, the following new paragraph:

"(1) 'broadband' means a transmission rate for digital information on a communications network which exceeds the maximum rate possible for transmission of digital information on normal copper telephone wires";

(C) by inserting after paragraph (2), as so redesignated by subparagraph (A) of this paragraph, the following new paragraphs:

"(3) 'disabilities' means functional limitations of hearing, vision, movement, manipulation, speech, and interpretation of information;

"(4) 'educational institutions' includes institutions of early childhood education, elementary and secondary education, postsecondary education, and vocational/technical education;

"(5) 'education at all levels' includes early childhood education, elementary and secondary education, postsecondary education, and vocational/technical education;

"(6) 'Federal test bed networks' means the Federal experimental test bed networks described in section 102(a)(2)";

(D) by inserting after paragraph (8), as so redesignated by subparagraph (A) of this paragraph, the following new paragraph:

"(9) 'Internet' means the network of both Federal and non-Federal interoperable packet switched data networks";

(E) by amending paragraph (10), as so redesignated by subparagraph (A) of this paragraph, to read as follows:

"(10) 'Network Program' means the National Research and Education Network Program established under section 102"; and

(F) by inserting after such paragraph (10) the following new paragraph:

"(11) 'Nondevelopmental item' has the meaning given such term in section 2325(d) of title 10, United States Code; and"

(3) in section 101(a)(2)(A) and (B), by striking "Network" and inserting in lieu thereof "Federal test bed networks";

(4) in section 101(a)(2)(C), by inserting "the private sector, States, and" after "computer networks of";

(5) in section 101(a)(4)(C), by striking "establishment of the Network" and inserting in lieu thereof "Network Program";

(6) in section 201(a)(2), by striking "Network" both places it appears and inserting in lieu thereof "Internet";

(7) in section 201(a)(3), by striking "Network" and inserting in lieu thereof "Internet for the purposes of this Act";

(8) in section 201(a)(4), by inserting "consistent with section 102," before "assist regional networks";

(9) in section 202(b), by striking "\$134,000,000" and inserting in lieu thereof "\$111,000,000"; and

(10) in section 203(e)(1), by striking "\$138,000,000" and inserting in lieu thereof "\$124,000,000".

SEC. 8. USE OF DOMESTIC PRODUCTS.

(a) PROHIBITION AGAINST FRAUDULENT USE OF "MADE IN AMERICA" LABELS.—(1) A person shall not intentionally affix a label bearing

the inscription of "Made in America", or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product.

(2) A person who violates paragraph (1) shall not be eligible for any contract for a procurement carried out with amounts authorized under this Act, or under any amendment made by this Act, including any sub-contract under such a contract pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations, or any successor procedures thereto.

(b) COMPLIANCE WITH BUY AMERICAN ACT.—(1) Except as provided in paragraph (2), the head of each agency which conducts procurements shall ensure that such procurements are conducted in compliance with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the "Buy American Act").

(2) This subsection shall apply only to procurements made for which—

(A) amounts are authorized by this Act, or by any amendment made by this Act, to be made available; and

(B) solicitations for bids are issued after the date of enactment of this Act.

(3) The Director of the Office of Science and Technology Policy, before January 1, 1995, shall report to the Congress on procurements covered under this subsection of products that are not domestic products.

(c) DEFINITION.—For the purposes of this section, the term "domestic product" means a product—

(1) that is manufactured or produced in the United States; and

(2) at least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.

(d) PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this Act, or under any amendment made by this Act, should purchase, when available and cost-effective, American made equipment and products when expending grant monies.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In allocating grants under this Act, or under any amendment made by this Act, the appropriate agency or department shall provide to each recipient a notice describing the statement made in paragraph (1) by the Congress.

SEC. 9. SUNSET.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the High-Performance Computing Act of 1991 shall expire on October 1, 1998.

(b) EXCEPTION.—Title II and section 305 of the High-Performance Computing Act of 1991 shall expire on October 1, 1996.

(c) CONTINUING ADMINISTRATION.—Nothing in this section shall affect the continuing validity of any contract, grant, or cooperative agreement entered into prior to the relevant expiration dates referred to in subsection (a) and (b), and any such contract, grant, or cooperative agreement may continue to be administered under its terms as if the High-Performance Computing Act of 1991 had not expired.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. BOUCHER] will be recognized for 20 minutes, and the gentleman from New York [Mr. BOEHLERT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. BOUCHER].

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1757 embodies the President's vision for a national information highway capable of routing voice, video and data traveling at gigabit speeds to every school, every home, every research institute, and every business in the Nation. It clearly identifies the respective roles of the public and the private sectors in deploying, owning, and operating the information infrastructure, and it specifies the Federal research and development support that should be provided to enable the creation of new networking technologies and a variety of near-term applications of the information network.

In addressing the respective roles of the public and private sectors, H.R. 1757 makes it clear that we do not expect the Federal Government to own, manage, or deploy the information infrastructure. That will be a private sector responsibility. The physical network, including the fiber optic lines, the high-capacity switches, and the software that is necessary to route information at high speeds will be owned and deployed and maintained by private companies.

The Government's role, however, is also clearly defined and specified in H.R. 1757, and that role can be categorized in the following areas:

First, the legislation makes it clear that there is a Federal responsibility in ensuring that the network operates in accordance with a common set of protocols and standards so that information can be stored in compatible formats and can be retrieved from any point on the network using a common set of computer commands.

The Federal Government will not have the obligation of directly setting those standards, but it will serve as a convening agency to bring together the experts from areas external to the Government who will have the responsibility of recommending the standards upon which the network should operate.

The Government will also extend to research and development for new networking technologies, for research and development funds that will create a new generation of high-capacity switches and the software that is necessary to route information traveling on the network at gigabit speeds, with the Government having hundreds of thousands of packets of information all traveling simultaneously on the network at those higher speeds.

□ 1310

Then the legislation sets forth several near-term applications that I would suggest will be the most obvious uses of this network within the short term. Those are in four specified areas.

First, funding for education, and that falls into the category of electronic

classrooms for distance learning so that the barriers of geography can be taken down and the best instruction that is available in any school in the Nation can potentially become available in every school in the Nation through the miracle of fiber optic communications, of fully interactive video transmissions and distance learning. That will have the effect of students in a variety of outlying classrooms listening to the instruction of a single teacher and being able to fully interact with each other and with that teacher at the same time. Funds are provided in the legislation for that application, as well as for teacher training and also for direct connections that will link secondary schools to the information infrastructure.

A second near-term application is in the area of digital libraries. We contemplate the day when even the millions of volumes of printed material that are stored today on library shelves will be converted into electronic form and made accessible to anyone who has a personal computer and seeks to understand and retrieve the information that is contained in those libraries.

The goal, very simply stated, is to have a person in a living room or in a classroom using a personal computer being able to access the electronic index of every library in the Nation, browse through that index, identify a specific document, and then if that is the document the person wants, peruse it and then even print it out on a laser printer there in the living room and perform all these functions within just a matter of minutes.

A third application is in the area of health care. We envision the day in the not too distant future when a patient in an examining room at one location where a CAT scan or MRI image has just been taken having the benefit of a distant diagnosis by a variety of specialists located throughout the United States who could see each other over a video link, who could talk to each other over an audio link, and who could simultaneously evaluate that CAT scan or MRI image transmitted to them over the network with the same clarity that the initial image contains, providing a service that is rarely available in rural areas today through diagnostics and helping people everywhere in the United States in terms of having their conditions evaluated in a very professional manner.

We also imagine the day in the near future and provide the funds for this when there could be remote sensing of vital signs so that a patient who today has to remain in a hospital or a nursing home in order to have their vital signs monitored could remain in their own homes, promoting convenience for the patient and lower costs in the delivery of medical services, having the

vital signs monitored at a central monitoring unit from which health care delivery could be dispatched if that proved to be necessary.

Patient billing and patient records would also be made available over the network, providing for administrative flexibility and reductions in health care costs.

A fourth application is in the area of government information, and we seek through this legislation to make the vast stores of information maintained by government at all levels available over the network through means of an electronic index and a navigational aid that would ease the access to that information by any party who seeks it.

The legislation carries out another government function, and that is to create a test bed in which the new networking technologies can be demonstrated and which can also provide direct connections where the users of networking services require a higher level of network performance than is available from commercial providers.

I might add that in other instances where commercial service is readily and appropriately available, we would expect the commercial providers to provide connections for users of the information network.

The legislation sets up a High Performance Computing and Applications Advisory Committee from which periodic reports will be presented to the executive and legislative branches over time. Those reports will tell us about progress that is being made in developing the information infrastructure. They will tell us what additional requirements of Federal law are necessary from time to time in order to promote infrastructure development and will give us a reliable and continuing mechanism for obtaining information and recommendations from private sector experts about changes in Federal law that will be necessary in the future.

Mr. Speaker, this legislation enjoys very broad support from the private sector. It has received endorsements from a broad range of telecommunications companies and computer companies and health care providers.

The public sector also supports its enactment. We have strong support from universities and from the library community around the Nation.

I would like to say a special word of thanks to two individuals on the Republican side who have been of tremendous help to us and worked very cooperatively with us as this measure was structured, and that is the gentleman from Pennsylvania [Mr. WALKER], the ranking Republican member of the Committee on Science, Space, and Technology, and the gentleman from New York [Mr. BOEHLERT], who along with the gentleman from Pennsylvania [Mr. WALKER] has made a number of very constructive recommendations

which appear in the text of this legislation.

I also want to thank the gentleman from California [Mr. BROWN], the chairman of the Committee on Science, Space, and Technology, who has personally expressed a great deal of interest in this measure and who has devoted his time and effort to helping us perfect this product and whose staff resources applied to this undertaking have been absolutely invaluable.

The passage of this measure, Mr. Speaker, is very important to our Nation's future quality of life and to our Nation's future economic success. Just as canals were the major commercial arteries of the 19th century and just as railroads and interstate highways have been the major pathways of commerce during this century, in the 21st century the information highway will be the major commercial artery. It is essential that we begin that journey today and take this step in enacting H.R. 1757 to assure for our Nation the most modern communications network that will be enjoyed anywhere in the world.

Mr. Speaker, I am pleased to strongly recommend the passage of this legislation.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1757, which I have proudly coauthored.

Once again I wish to point out to my colleagues that here we have another example of the spirit of bipartisanship working so effectively in the Committee on Science, Space, and Technology, under the leadership of the gentleman from California [Mr. BROWN], and the ranking Republican, the gentleman from Pennsylvania [Mr. WALKER].

And, of course, I want to thank the chairman of our Subcommittee on Science, the gentleman from Virginia [Mr. BOUCHER] for his leadership.

I do not think that anyone doubts that computer networks are revolutionizing our society, and that their impact is only likely to become more pervasive in the years ahead. I can see this in my own area in central New York, where the progressive telecommunications company, Nynex, has teamed with one of the Air Force's premier super laboratories, the Rome Laboratory, and two of our great universities, Cornell and Syracuse to create new electronic links for researchers. They call it Nynet. It is 21st century stuff, the kind dreams are made of.

Congress has done much to promote this electronic revolution. We enacted the High-Performance Computing Act, which set up an inter-agency effort to sponsor and conduct the research needed to keep this revolution spinning along.

The bill we have before us today is the logical next step. It will promote a wide variety of applications for the expanded networks, and it will ensure

that a wide variety of institutions benefit from the new technology. That is another way of saying that the public will be able to take advantage of the latest advances—through schools and libraries, and medical offices and businesses, as Chairman BOUCHER has so eloquently described.

High performance computing networks are a prime example of the public-private partnerships that we need to encourage to keep our Nation's technological edge. I suspect that when we look back in a decade or so, bills like H.R. 1757 will prove to be the measures that have made the greatest difference in the way Americans lead their lives.

I urge my colleagues to vote for this very worthwhile legislation to plan and prepare for the future.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield such time as he may consume to the chairman of the Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Speaker, I thank the chairman of the Subcommittee on Science, Space, and Technology, for yielding this time to me. Again, I will be brief.

I want to commend both the gentleman from Virginia [Mr. BOUCHER] and the gentleman from New York [Mr. BOEHLERT] for moving this bill along expeditiously.

I have a sentimental attachment to this bill because it stems from work that we have been doing in the Science Committee over a long period of years, going back at least 10 years or more. We are seeing the results of this effort brought to fruition with this legislation and with the similar legislation which we passed a year or so ago.

□ 1320

Mr. Speaker, I will not elaborate on the importance of this. The gentleman from Virginia [Mr. BOUCHER] has adequately dealt with that. But I do want to point out that this, as with many pieces of legislation we will deal with, could fall within the jurisdiction of other committees, and in this case the Committees on Education and Labor and on Armed Services both have roles to play in the development of the systems that we are talking about here, and in both cases the chairmen of these committees have graciously yielded their jurisdiction, and I would like to include in the RECORD letters from the chairmen of the Committee on Education and Labor and the Committee on Armed Services indicating that they will not ask for sequential referral of this legislation.

Mr. Speaker, research and development focused on high-performance computing and networking constitute a key ingredient necessary to ensure the Nation's future economic competitiveness. In addition, it is now feasible to use computing and networking technologies

which have been developed for applications that will provide important benefits for all Americans.

In 1991 the Committee on Science, Space, and Technology played a major role in the passage of the High-Performance Computing Act to stimulate new advances in high-performance computing hardware and software and to develop high-speed computer networks linking research sites throughout the Nation. H.R. 1757 builds on the 1991 act by supporting new and wide-ranging applications of the accomplishments of research in high-performance computing and networking.

In particular, the National Information Infrastructure Act will develop and demonstrate applications of computing and networking technologies:

For education at all levels, including teacher training and retraining of workers;

For health care delivery, including development of testbed networks for sharing medical data and imagery among health care providers and for providing health promotion and disease-prevention information to the public; and

For creation of digital libraries of electronic information, including advanced storage and retrieval systems and standards for electronic data storage and transmission.

All of these applications are intended to be made widely accessible to all segments of society. The bill will support the development of user-friendly computer interfaces and will address the technical means to ensure the integrity and security of information in electronic form which is made available via communications networks.

I want to congratulate Mr. BOUCHER, the Science Subcommittee chairman, for his efforts to develop H.R. 1757, and I want to recognize his efforts and the efforts of the ranking Republican member of the subcommittee, Mr. BOEHLERT, in moving the measure forward in committee. In addition, I wish to acknowledge the contributions to strengthening the bill of the ranking Republican member of the full committee, the gentleman from Pennsylvania [Mr. WALKER] and his assistance in bringing the legislation to the floor.

I would like to thank Chairman FORD and the ranking Republican member of the Education and Labor Committee, Mr. GOODLING, for their assistance in developing the education provisions of the bill. I also thank Chairman FORD, Chairman DELLUMS of the Armed Services Committee, and Chairman DINGELL of the Energy and Commerce Committee for allowing the bill to move forward expeditiously by not seeking sequential referral for portions of the bill which are in their committees' jurisdictions. Copies of correspondence with the three committees are included with my statement.

Mr. Speaker, the National Information Infrastructure Act of 1993 in concert with the High-Performance Computing Act, enacted last year, will advance information technologies which are transforming the conduct of science and engineering and which offer unparalleled opportunities for improvement of education, health care delivery, and access to information. The public investment represented by these programs will provide an enormous return to society and to the welfare of all our citizens. I urge my colleagues to join me in supporting passage of H.R. 1757.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, June 10, 1993.

Hon. GEORGE E. BROWN, Jr.,
Chairman, Committee on Science, Space, and Technology, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: We are writing concerning sections 2, 3, 4, and 5 of H.R. 1757, the High Performance Computing and High Speed Networking Act of 1993, which we believe are under the shared jurisdiction of your committee and the Committee on Education and Labor.

These sections make numerous references to education at all levels and to libraries with respect to the application of high performance computing and high speed networking.

We understand the enclosed suggestions have been incorporated into a substitute bill to be marked up by the Subcommittee on Science. With these changes, we have no objection to the text of the bill. In order to expedite the consideration of H.R. 1757, we do not intend to seek referral of the bill, with the incorporated changes. However, in view of this committee's jurisdiction under clause 1(g) of House Rule X over education, generally, and in light of the continuing cooperation between our committees concerning such matters, we ask that you include this letter in the record of the debate on H.R. 1757 to protect this committee's jurisdictional interest.

With kind regards,

Sincerely,

BILL FORD,
Chairman.
BILL GOODLING,
Ranking Republican.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 28, 1993.

Hon. GEORGE BROWN,
Chairman, Committee on Science, Space, and Technology, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: I understand the Committee on Science, Space, and Technology is now marking up H.R. 1757, the High Performance Computing and High Speed Networking Applications Act of 1993. This legislation includes a provision establishing a National Research and Education Network Program and requiring the Department of Defense to support research and development of technologies associated with that program. The part of this provision pertaining to the Department of Defense falls within the jurisdiction of the Committee on Armed Services pursuant to House Rule X, clause 1(c).

In recognition of your committee's desire to bring this legislation expeditiously before the House of Representatives, the Committee on Armed Services will not seek a sequential referral of H.R. 1757 as a result of including the above described provision, without of course, waiving this committee's jurisdiction over the provision in question. This committee will also seek to be appointed conferees for this provision during any House-Senate conference.

I would appreciate your including this letter as a part of the report on H.R. 1757 and as part of the record during consideration of this bill by the House.

Sincerely,

RONALD V. DELLUMS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, RAYBURN HOUSE OFFICE BUILDING,
Washington, DC, June 24, 1993.

Hon. RONALD V. DELLUMS,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of June 28, 1993, expressing your Committee's views regarding jurisdiction over certain provisions contained in H.R. 1757, the High Performance Computing and High Speed Networking Applications Act of 1993, which the Committee on Science, Space, and Technology expects to be reported in the near future. I acknowledge the jurisdictional claim of the Committee on Armed Services over the provisions cited in your letter. I appreciate your cooperation in permitting these provisions to move ahead for floor consideration without a sequential referral, and would be pleased to include your letter in the Committee's legislative report on H.R. 1757, and to include it in the record during consideration of the bill on the House floor in order to preserve your Committee's jurisdictional claims.

I look forward to continuing to cooperate with you on issues of mutual concern.

Sincerely,

GEORGE E. BROWN, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 26, 1993.

Hon. GEORGE E. BROWN, Jr.,
Chairman, Committee on Science, Space, and Technology, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1757, the "National Information Infrastructure Act of 1993," which is scheduled for consideration by the House today, July 26, 1993, under suspension of the rules. I am pleased that through an exchange of letters our Committees can continue the close working relationship that we have established.

Section 308 of that bill creates a new program overseen by the Department of Health and Human Services to develop and apply high-speed networking technologies for use in the health care sector. The technologies are designed for use by health care providers, public health officials, and the general public.

Under the rules of the House, the Committee on Energy and Commerce has sole jurisdiction over health care and public health. This provision clearly falls within the jurisdiction of this committee. In order to expedite consideration of this measure, I would agree not to request a sequential referral for purposes of addressing the matters contained in section 308 provided you acknowledge the jurisdiction of this committee over that section and agree that it would be appropriate for this committee to be granted conferees in any conference on this bill. I trust that by working together the two committees could resolve any differences regarding this provision in that context. Thank you for your cooperation.

With best wishes,

Sincerely,

JOHN D. DINGELL,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, July 26, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is in reply to your letter of July 26, regarding consideration of H.R. 1757, the "National Information Infrastructure Act of 1993".

I agree that Section 308 of that bill is within the jurisdiction of the Committee on Energy and Commerce and appreciate your waiving right to a sequential referral in order to expedite consideration of this legislation. I also agree that it would be appropriate for the Committee on Energy and Commerce to be granted conferee status on Section 308. I also share your belief that by working together the two committees can resolve any differences regarding this provision and would intend to confer closely with you before reaching a resolution with the Senate regarding this legislation.

Sincerely,

GEORGE E. BROWN, Jr.,

Chairman.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. GRAMS].

Mr. GRAMS. Mr. Speaker, I rise to commend my colleagues for their efforts in crafting this piece of legislation, as well as their support for sunset language which has also been adopted.

As the majority of my colleagues know, the National Infrastructure Act and its predecessor, the High Performance Computing Act of 1991, is scheduled to expire after 5 years, with the exception of title II, section 305, which expires after 2 years. Now, during committee consideration of this bill, I had offered an amendment to sunset the legislation in accordance with that intent.

Mr. Speaker, it has been a pleasure to work with the authors of this legislation, and the committee chairman and ranking minority in crafting a compromise that I believe improves my original amendment, yet maintains the integrity of the sunset language. As always, I firmly believe that it is the responsibility of the authorizing committees to ensure that legislation is monitored and reauthorized in accordance with the rules of this House. Unfortunately that is not always the case. Too often government programs, which have outlived their usefulness, continue to be funded through unauthorized appropriations. I am pleased to see that my colleagues on the Committee on Science, Space, and Technology share my concern.

Mr. Speaker, I look forward to continuing to work together to ensure that the High Performance Act does not sunset after fiscal year 1998 and that we successfully turn its operation over to the private sector.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. BOUCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Speaker, I am pleased that Congress is promptly considering and is acting in a bipartisan manner on this important legislation. This bill will help usher our Nation into the 21st century.

Mr. Speaker, we are in an information age. All parts of America must be included. The establishment of an information highway system is critical to rural areas, as well as urban. Schools, libraries, and medical centers are all examples of the types of activities and institutions that utilize this information highway.

From personal experience, Mr. Speaker, I know the importance of this technology. Interactive television is being developed in rural Minnesota. It allows students to attend classes closer to their homes, yet these students are able to participate in classes that otherwise could only be offered in large urban areas. Similarly, I am pleased to have been able to participate in a town meeting in the community of Windom, MN, at the same time that I was here in Washington, DC. Again this type of presence in several places may have been considered a miracle two decades ago, but today it is possible due to the use of the information highway system that is being constructed in our country.

Finally, Mr. Speaker, I would like to say that this system also recognizes the importance of copyright law, which has historically been protected in our country. By opening up these information highways, we still recognize and protect private ownership rights that may exist with respect to the information that is being utilized.

Mr. Speaker, I think it is indeed a proud day when Congress can move promptly in this bipartisan fashion to pass this important legislation.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, first of all, I would like to thank the chairman and ranking member of the Science, Space, and Technology Committee for working with the Education and Labor Committee to develop amendments to this legislation to improve access of education to the programs and computer applications the bill establishes. Bipartisan amendments suggested by the members of our committee were adopted by the Science, Space and Technology Committee in its markup sessions.

Our efforts have focused on an attempt to confront the primary challenges facing education and its ever expanding uses of technology. First, that the best technology be made available to institutions of education at all levels, not just research laboratories. Already, as reported in a recent National Education Association report, over 50 percent of American classrooms have a

computer. Our goal must be not only to expand the reach of technology, but to insure it is quality technology.

Equally, we have tried to stress that the future holds a technological impact on education in many diverse fields, not just research as I mentioned earlier. For example, one can readily see the benefit of technology for early childhood programs such as Head Start and Even Start, as well as for now-evolving school to work programs including youth apprenticeships.

We also included provisions which will provide for evaluations of the cost effectiveness of the technology programs under this legislation. Education clearly faces special challenges as its financial resources are severely stretched. These special cost factors must be evaluated as new systems are developed to insure that they are accessible to educational institutions at all levels, but not just physical access, but financial access as well.

Again, Mr. Speaker, I commend the chairman and ranking members for their efforts to work with our committee and look forward to continuing our efforts to improve technology in education in the future.

Mr. BOUCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA of Michigan. Mr. Speaker, I am honored to have been asked to be a cosponsor of this bill, and I proudly lend my name to it. Indeed this bill is exceptional public policy. The subcommittee has done an extraordinary job of balancing the interests of academia, the private sector, and other interested parties. Furthermore, this bill charters a viable public/private partnership between the Federal Government, private enterprises, and the academic community. This partnership is structured so that each of the participants will contribute from its unique position.

The technological possibilities brought about by the translation of audio and video communications into digit signals, and the advent of fiber optics and new switching techniques will be further utilized through the technological advances brought about by this partnership. This bill will bring our Nation closer yet to the establishment of information superhighways.

These information superhighways will not only provide the American people greater choices in entertainment, but more importantly, will make it possible for new communications technologies to allow greater access to information and services from an unlimited number of places.

The thought that physicians may be able to use these technologies to consult with other physicians hundreds or thousands of miles away, or that business transactions can be conducted over these same highways is truly exciting. I thank the chairman for the

time and his stewardship of this bill. And, I ask the Members of this House to support the bill.

Mr. BOEHLERT. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. BURTON].

□ 1330

Mr. BURTON of Indiana. First of all, Mr. Speaker, I think the thought behind this program is very good. The only problem I have with it is, why is the Federal Government going to pay \$1 billion for a program that is already being worked on by the private sector?

In Indiana, not too long ago I was invited by one of the Ameritech companies to come down and see a demonstration, along with a lot of teachers and high school students and grade school students, on how the new technology in computers, and so forth, was evolving through the Ameritech and the AT&T systems. MCI is working on this, Sprint is working on it, and a great many private-sector communications companies are working on these very things right now. In fact, they have advanced so far that some of this is already being used in classrooms and in the health care industry, and so forth.

So my question is, Since the private sector is working very hard on this, since they are going to make a profit out of it, since every home in America at some time in the future is going to be able to order its groceries, work on its health care, do education right through their television sets, even answer the phone when the phone rings—they will be able to answer the phone without turning off the television set; they will just talk to their television set—since all this kind of computer stuff is evolving through the private sector, and since right now we have a \$4.35 trillion national debt and for the next 5 or 6 years we are going to run somewhere between \$200 billion and \$350 billion a year in the red, would ask, why should we be coming up with a program that is going to cost \$1 billion over the next few years when the private sector is already working on it?

There is money to be made in this industry, and because of that we may rest assured that the private sector is going to push ahead as rapidly as possible.

Somebody said to me a few minutes ago the AT&T and the Ameritech companies want this program. Obviously, if the Federal Government is going to pick up \$1 billion of the tab that they will not have to pick up, they would be in favor of it. But make no mistake about it, this technology is going to evolve whether this program takes place through the Federal Government or not.

So my question to my colleagues is this—and I hope one of them will answer it—why should we authorize \$1 billion over the next 5 years for pro-

grams that are already under way? We do not have the money. We are running deeply in debt. The tax package we are going to be talking about in the next couple of days is going to exacerbate the situation. It is going to raise taxes on the backs of the American people, and the projections are that it is going to raise the debt instead of lowering it.

So, Mr. Speaker, I say to my colleagues that if we are really concerned about this country, let us get our fiscal house in order. Let us not add something to the mix that is already being done by the private sector.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague, the gentleman from California.

Mr. BROWN of California. Mr. Speaker, the gentleman is correct in raising the question of why we should do something the private sector is already doing. As the gentleman indicated, the private sector does want it, and there could be a selfish reason for their wanting it. It is not that, really. This kind of research and development is going on all over the world.

What the private sector in this country is concerned about is getting to market fast enough with the new technologies to be able to compete in the world marketplace. This is a continuation of policies initiated under Reagan and Bush to support free competitive generic technologies that will aid U.S. businesses in competing better in the world marketplace.

Mr. BURTON of Indiana. Mr. Speaker, I appreciate the remarks of the gentleman from California, but this kind of argument was used on the super collider, and many of us who supported the super collider in the past voted for it because the technology that was going to be a spinoff from that program was going to help us get the edge on our competitors in world trade and give us a quantum leap into the 21st century.

The fact of the matter is that this is going to happen through the private sector. It is moving very, very rapidly right now. I have witnessed it myself, and it seems to me that we should not be putting another \$1 billion of the Federal Government's money and the taxpayers' money into this program when it is already being done by the private sector.

Mr. Speaker, I thank the gentleman from New York [Mr. BOEHLERT] for yielding me this time.

Mr. BOUCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 1757, the National Information Infrastructure Act. This legislation not only represents another milestone in the implementation of President Clinton's technology initiative but is a critical step toward our future.

As we close out the 20th century, many of us wonder what the year 2000 will hold for this Nation. Mr. Speaker, I submit that part of that future is contained here in this legislation. H.R. 1757 builds on existing electronic linkages, such as the Internet, to broaden access to information for school children, researchers, and health professionals. H.R. 1757 will expand the ways we can communicate, the manner in which our children learn, and the way businesses interact.

Today there are great disparities in basic educational resources that are available to low-income communities and more affluent communities. The Education Committees of both Chambers are currently debating how to reallocate Chapter 1 moneys so that those with the greatest need receive adequate resources.

The underlying issues of that debate go deeper than formulas and ratios and are manifested in concrete terms such as a district's ability to afford new textbooks and library books. Another important component is teacher morale.

A recent Department of Education study of the Chapter 1 Program found that students in high-poverty schools have less exposure to original works of literature and trade books and score lower in reading and math from anywhere between 27 and 32 percentage points than students in low-poverty schools. Teachers in high-poverty schools are four times likelier than their counterparts in more affluent areas to be absent.

Many would argue that computers are not the solution to these problems and that there are more fundamental issues to be addressed. But I suggest that electronic networking opens up an entirely new realm of resources for these students and their teachers and must be factored into our vision of education reform.

With the implementation of a national information infrastructure, the Library of Congress will become instantly accessible to teachers both in my district and places like rural east Texas, opening new horizons that otherwise would not be available. Furthermore, teachers and administrators nationwide will be able to communicate easily, discuss the many day-to-day challenges they face, and share creative solutions with their colleagues.

H.R. 1757 has further implications for our health care delivery system. Authorized under this legislation are projects which would establish tested networks to link health care providers and facilitate the development of technologies to manipulate diagnostic images and explore new horizons such as virtual reality. With the development of the information infrastructure a physician could transmit an image and case history to the leading expert in a given field and obtain his assistance in making a diagnosis.

As we continue to be one of the most mobile societies on Earth, health care records in the future can be transferred electronically from a physician in New York to another in Seattle. Providers will also be able to access up-to-date health promotion and disease prevention recommendations from the public health service.

Over 150 years ago, the United States began the industrial revolution, a movement which defined the parameters of our society up until well into this century. Today, we stand at the brink of the information revolution, and we must support bold initiatives such as this one to shape the future in which we will live.

Mr. BOEHLERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to provide some degree of comfort to my colleague, the gentleman from Indiana [Mr. BURTON], by pointing out that we are not talking about new dollars. All of this money comes out of the existing authorization for NASA, for Health and Human Services, and for the National Science Foundation. So we are going to have to take this funding out of existing authorization. We are not adding to the authorization.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of H.R. 1757, the National Information Infrastructure Act of 1993. H.R. 1757 amends the High Performance Computing Act of 1991 to broaden the application and availability of high-speed computing networks.

I would like to convey my special appreciation to both the Subcommittee on Science and the full Committee on Science, Space, and Technology for working closely with the Committee on Education and Labor to address several concerns. As a result, the bill includes language which assures the involvement of the Department of Education in the application of technology for education, makes clear that education is inclusive of early childhood education through higher education, and makes clear through report language that the applicable disciplines in education are not restricted to math, engineering, and science.

I urge my colleagues to vote in support of this important legislation in order to accelerate our progress in achieving a sophisticated system of technology for all of our Nation's infrastructure.

Mr. JOHNSON of Texas. Mr. Speaker, today, we are about to vote on the National Information Infrastructure Act of 1993, a \$1.3 billion bill. I am opposed to this bill for two reasons: First, because it was brought up under suspension, and second because of its price tag.

I understand that a bill can only be brought up under suspension if it is under \$100 million dollars unless the Democratic Steering and Policy Committee waives this rule.

I wonder what makes this bill different or what is being protected that it needs to be brought up under suspension instead of the regular rules of the House. Besides this, the bill has other questionable intentions.

This bill creates an information super-highway that would digitally link America. I

agree that the Government should be involved in creating an information highway, but only to the extent of providing guidelines and standards or, in simple terms, a blueprint that industry can follow and implement. The Government should not be in the business of competing and duplicating programs that exist in the private sector.

In this bill I have counted the word "develop" over 20 times. I ask anyone to answer this question: What can the Government "develop" better than the private sector? From past experience, nothing better but definitely slower.

The real question comes down to dollars. Does the Congress need to pass a bill that authorizes \$1.3 billion to develop interfaces, test beds for digital libraries, gigabit transmission, fiber optics, switches and data storage systems. I believe the answer is no. In fact, let me give you some examples of the duplication and wasted dollars that will come by authorizing this bill.

This bill wants to initiate the development of highways that connect all universities so they can communicate. In Texas, the universities and all K-12 teachers have access to or are already connected, and the Government should take notice, it was completed without Federal funds.

Second, a company called Cablevision is turning cable TV lines into data highways for computer networks. Their goal is to allow "hospitals, schools, State and local governments to move big data files around and take advantage of the already deployed cable network."

Let me again reiterate, I am not against the objectives of the bill, I am against spending over \$1 billion for Government research and development when it already exists or is being developed by the private sector.

I am also against passing a \$1.3 billion bill under the suspension of the rules. Every Member should be held accountable for a vote that authorizes this much of the taxpayers' money when the Government is currently operating under a \$4 trillion debt.

I urge my colleagues to vote against this bill for these two reasons.

Mrs. LOWEY. Mr. Speaker, I rise in strong support for H.R. 1757, the National Information Infrastructure Act of 1993.

We stand on the cusp of a new era in information technology. We are only starting to understand all of this new era's implications. Within a short time, many Americans will be able to see friends and relatives who live far away, pay bills, or access the knowledge available in national libraries and research institutes, all from the comfort of their own homes. But this technology, although relatively expensive, is already available.

What is yet to come are vast information networks that will help American entrepreneurs to share ideas, enable medical doctors to confer instantly, and provide students with access to the latest research and scholarly writings. This technology has the potential to dramatically change the lives of Americans by making routine what a short time ago seemed impossible. Despite the promise of the technology, most Americans are not in a position to capitalize on its benefits.

We need not only to develop this technology but we must also make it practical for most

Americans. To do so, the goal of our policies should be to ensure access for the average American, not just those who have computer science expertise. By authorizing demonstration projects in education, health care, libraries, and public access to Government information, this bill will open the door to the new wave of information technology that has only recently been developed.

H.R. 1757 will allow average citizens to utilize the vast power of information technology. For example, in New Rochelle, NY, Iona College is developing an information access center which will not only provide K-12 teachers with hands-on experience in the power of fiber optics and multimedia techniques, but it will also allow small businesses to come in and use this equipment.

If the owner of the hat store on the corner wants to learn more about personnel management or strategic marketing, he or she will have ready access to the latest information on these subjects simply by punching it up on a computer keyboard. And once interactive fiber optics become available, the small business owner will be able to directly communicate with these experts. This program will be especially beneficial to those business owners who cannot afford their own computer equipment. By giving small businesses access to the same technologies which are being used by major corporations, we will be vastly strengthening our entire economy and enhancing the potential of the major job-creating force in our society.

Another important use of this new technology is in the health care field. The New York Medical College, in Valhalla, NY, has undertaken an ambitious project made possible in part through a 1992 HUD special purpose grant. This project will enable doctors in impoverished urban areas and distant rural areas alike to utilize the vast resources of the New York Medical College. Medical offices which cannot afford the volumes and volumes of research available at the college will be able to gain access to this information through a computer network. By reducing research duplication, this project is a truly worthwhile investment in improving care and reducing costs.

The image of a society where any family doctor can receive the advice of the foremost medical experts instantly or the owner of a small business can undertake complicated cost-benefit analysis from his or her storefront will become a reality that will substantially improve the lives of all Americans. H.R. 1757 will help ensure opportunities to utilize this technology as are widely available as possible so that all—not just a few—reap the benefits.

I strongly urge my colleagues to support this legislation and bring us one step closer to the new era of technology.

Mr. BOEHLERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOUCHER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Virginia [Mr. BOUCHER] that the House suspend the rules and pass the bill, H.R. 1757, as amended.

The question was taken.

Mr. BURTON of Indiana. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks concerning H.R. 1757, the bill just under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SPRING MOUNTAINS NATIONAL RECREATION AREA ACT

Mr. VENTO. Mr. Speaker, I move that the House suspend the rules and concur in the Senate amendments to the bill (H.R. 63) to establish the Spring Mountains National Recreation Area in Nevada, and for other purposes.

The Clerk read as follows:

Senate amendments:

Page 3, line 7, strike out "waters" and insert "interests therein".

Page 4, line 16, strike out "Federal and State".

Page 4, line 23, strike out "the management, utilization, and disposal of" and insert "the management and use of".

Page 5, line 7, strike out "after" and insert "in".

Page 5, line 13, after "livestock", insert "on Federal lands".

Page 6, line 4, strike out "conform to" and insert "be consistent with".

Page 8, line 15, strike out "of the 89,270 acres" and insert "those lands within the Recreation Area".

Page 9, strike out lines 4 to 9 and insert:

(a) IN GENERAL.—The Secretary is authorized to acquire lands and interests therein within the boundaries of the Recreation Area by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency, except that such lands or interests owned by the State of Nevada or a political subdivision thereof may be acquired only by donation or exchange.

Page 9, line 11, strike out "or waters" and insert "or interests therein".

Page 10, line 1, strike out "lands, waters, and interests" and insert "lands and interests".

Page 10, line 6, strike out all after "Area" down to and including line 9 and insert "are withdrawn from—".

Page 10 strike out lines 20 to 24.

Page 11, line 1, strike out "10" and insert "9".

Page 11, line 8, strike out "in southern Nevada".

Page 11, line 9, strike out "11" and insert "10".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

□ 1340

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. (Mr. MONTGOMERY). The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, we seem to be jumping around here. I do not know how many more suspensions we have, but some of us are waiting on the floor to take up this China resolution. Now I see it has been postponed again.

Could the Chair give Members some idea of the schedule of these suspensions so we do not have to sit here for hours until we know when they are coming up?

The SPEAKER pro tempore. The Chair will address the gentleman's request by saying the next order of business under suspension following the current business is the resolution regarding China.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 63, The Spring Mountains National Recreation Area Act, was introduced by Mr. BILBRAY and passed the House in April. The legislation is very similar to a measure passed by the House in the 102d Congress but on which action was not completed prior to adjournment. The Senate has made a few technical amendments which change some of the wording, but not the substance. I urge the House to concur with these amendments.

The bill before us today would designate a 316,000-acre national recreation area in the Spring Mountains of southern Nevada. The national recreation area would encompass all of the lands of the Spring Mountains unit of the Toiyabe National Forest.

Located near two rapidly growing population centers, Las Vegas and Pahrump, the area receives approximately 5 million visitors a year. It is the only area readily accessible to southern Nevadans with forests and snow. At that hearing of the Subcommittee on National Parks, Forests and Public Lands, on March 3, 1993, we learned that the resources of the Spring Mountains are impressive. Dominating the area is Mount Charleston which, at 11,918 feet, is the third highest mountain in Nevada. Vegetation includes ancient bristlecone pines, which are the oldest living things on

Earth, five vegetative life zones and 48 plant species found nowhere else in the world. Wildlife includes elk, deer, wild turkey, bighorn sheep, golden eagles, wild horses and burros, and the palmers chipmunk, which is found only in the Spring Mountains. Threatened species include the desert tortoise and Lahonton cutthroat trout. The Spring Mountains are also the beginning of the water aquifer for the city of Las Vegas.

I urge my colleagues to support H.R. 63 with the changes made by the Senate and, thus, protect and enhance this beautiful mountain range.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand today in support of H.R. 63, which will create the Spring Mountain National Recreation Area near Las Vegas, NV.

I want to thank my friends, Mr. BILBRAY and Mrs. VUCANOVICH, who represent the district wherein the Spring Mountain area lies for seeing this legislation through to final passage. This legislation is an appropriate way to preserve the natural resources of the Spring Mountains while respecting valid existing rights and allowing a wide variety of access and recreational uses by the public.

I urge my colleagues to support H.R. 63.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada [Mr. BILBRAY], who has been a champion of this legislation. It is an important bill to his State. We appreciate the Nevada delegation working together on this.

Mr. BILBRAY. Mr. Speaker, this is a very special day for the citizens of Las Vegas and southern Nevada. I am pleased this legislation creating the Spring Mountains National Recreation Area is ready to be presented to President Clinton and signed into law.

This legislation enjoys endorsements from a very unique group of bodies and organizations: the Nevada congressional delegation, the Nevada State Legislature's Committee on Public Lands, the Nevada Mining Association, and many local citizens and users groups as well. Especially in the case of the last few, this list is not your usual collection of allies.

However, in this unique case, all were eager to come together to support the preservation of what is known locally to be a Nevada treasure.

The U.S. House of Representatives and the Senate have given their legislative seals of approval to my community's wish to create the Spring Mountains National Recreation Area.

This legislation could not have come about without the dedication and vision of the southern Nevada community. For more than 5 years, teams of Nevadans have worked tirelessly to coordinate widely diverse interests represented by the many users of the Spring Mountains.

Hunters, fishermen, hikers and campers, off-roaders, bikers, and ranchers all share in the benefits of this magnificent resource.

The Spring Mountains contain outstanding outdoor recreation opportunities in the immediate vicinity of one of the fastest growing urban centers in the West, Las Vegas.

The Spring Mountains hold a unique place in the lives of the people of southern Nevada.

Over 20 million visitors come to the Mt. Charleston area each year to escape the summer heat of the desert floor. In winter, these mountains offer skiing, sledding, and a full range of snow sports, just a short drive from the Las Vegas strip. For the 900,000 inhabitants of Las Vegas, the Spring Mountains offer our only forest experience.

As more and more people visit the Spring Mountains, ensuring their protection becomes critical. By providing trailheads and roads for RV's, backpackers, hikers, and offroaders, passage of this measure will greatly enhance Nevadans' existing recreational use of our public lands.

With this legislation in place, the entire southern Nevada community can protect and preserve these natural resources from the encroachment of both man and the metropolitan areas rapidly developing on both sides of this magnificent range of mountains.

I would like to reiterate and clarify for all Nevadans, our hikers, hunters, horseback riders, off-roaders, and campers that this new status will by no means restrict them from enjoying these lands as they have in the past.

It will eventually increase and improve access to this local treasure for all outdoor enthusiasts. It will also ensure that these Nevada mountains will be here for our children and our children's children to enjoy many years from now.

By creating the Spring Mountain National Recreation Area, the Spring Mountains will gain their deserved, national protection and recognition.

This elevated status will secure for this unique region the necessary Federal funds to effectively manage the area. Under present management methods, these valued resources will not be adequately preserved for future generations.

I thank Chairman VENTO and his excellent staff for their efforts and their hard work which has enabled this bill to come to its rightful conclusion, and be sent on to the President.

Mr. HANSEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in strong support of this bill which would establish the Spring Mountains National Recreation Area in my congressional district. My colleague from Nevada, JIM BILBRAY, and I have worked to set aside for public rec-

reational purposes this beautiful area managed by the U.S. Forest Service.

The Spring Mountains offer unique recreational opportunities to the growing Las Vegas Valley communities just a few miles to the southeast. I agree the public lands within the boundary of the NRA are best managed for these purposes and should be withdrawn from the operation of the mining and mineral leasing laws.

Mr. Speaker, this is no small admission coming from one of the strongest advocates in this body for the prevention of mining opportunities on the western public lands. But, there are much better places to prospect on Nevada's public lands, and perhaps no place better suited to meet the growing needs of Las Vegas Valley residents for hiking, fishing, camping, wildlife and sportsmen's activities year-round. When the 110 degree heat hits the valley floor, the Spring Mountains offer a welcome cool respite beneath the ponderosa pines. In winter, Mount Charleston provides skiing and snowmobiling opportunities but a few minutes from the valley.

Mr. Speaker, the other body made only the most minor technical corrections to this bill as previously passed by the House. I urge my colleagues to support H.R. 63 as amended so that we may send the bill on to the President for signature.

Mr. HANSEN. Mr. Speaker, I have no further requests from time, and I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I commend the gentlewoman from Nevada [Mrs. VUCANOVICH] and the gentleman from Nevada [Mr. BILBRAY] for their work on this bill and their positions in this Congress. These are technical amendments. We should pass them.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and concur in the Senate amendments to H.R. 63.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE THAT THE OLYMPICS IN THE YEAR 2000 SHOULD NOT BE HELD IN CHINA

Mr. LANTOS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 188) to express the sense of the House of Representatives that the Olympics in the year 2000 should not be held in Beijing or elsewhere in the People's Republic in China, as amended.

The Clerk read as follows:

H. RES. 188

Whereas the International Olympic Committee is now in the process of determining the venue of the Olympic Games in the year 2000;

Whereas the governments of the city of Beijing and of the People's Republic of China have made a proposal to the International Olympic Committee that the Summer Olympic Games in the year 2000 be held in Beijing;

Whereas the State Department's Country Reports on Human Rights Practices for 1992 specifies that the Chinese "government's human rights practices have remained repressive, falling far short of internationally accepted norms," "torture and degrading treatment of detained and imprisoned persons persisted," "conditions in all types of Chinese penal institutions are harsh and frequently degrading," and the Chinese "government still has not satisfactorily accounted for the thousands of persons throughout the country who were arrested or held in 'detention during the investigation' or 'administrative detention' status for activities related to the 1989 pro-democracy demonstrations";

Whereas the Government of China has failed to respect civil liberties and, according to the State Department's Country Reports on Human Rights Practices for 1992, "freedom of speech and self-expression remain severely restricted";

Whereas the Government of China has engaged in massive transfers of population in order to marginalize the Tibetans inside Tibet and has engaged in systematic suppression of the Tibetan people, their culture and religion;

Whereas the Government of China has imposed tighter control over religious practice and engaged in greater repression of religion;

Whereas the Government of China has engaged in ongoing pervasive human rights abuses of women and children, including the use of forced abortion and involuntary sterilizations as part of China's one child per couple policy;

Whereas the Government of China does not permit the establishment of independent Chinese organizations that publicly monitor or comment on human rights conditions in China, and Chinese authorities have refused requests by international human rights delegations to meet with political prisoners and former detainees and have expelled foreign visitors who have indicated an interest in monitoring human rights conditions;

Whereas workers in China are denied the right to organize independent trade unions and to bargain collectively, and products manufactured by forced labor have been exported to the United States;

Whereas, in the spring of 1989, then mayor of Beijing, Chen Xitong, called for a crackdown on the pro-democracy demonstrators in Tiananmen Square, and on May 20, 1989, signed a martial law decree authorizing the entry of troops into the city;

Whereas Chen Xitong is currently chairman of the Beijing 2000 Olympic Bid Committee, and Mr. Chen has assured the International Olympic Committee in China's formal application that "neither now, or in the future, will there emerge in Beijing organizations opposing Beijing's bid" to host the Olympics, thus boasting of the Chinese regime's determination to crush dissent; and

Whereas holding the Olympic games in countries, such as the People's Republic of China, which engage in massive violations of human rights serves to shift the focus from the high ideals behind the Olympic tradition

and is counterproductive for the Olympic movement: Now, therefore, be it.

Resolved, That the House of Representatives—

(1) strongly opposes the holding of the Olympic Summer Games in the year 2000 in the city of Beijing or elsewhere in the People's Republic of China;

(2) urges the International Olympic Committee representative in the United States to vote against holding the Olympic Summer Games in the year 2000 in the city of Beijing or elsewhere in the People's Republic of China; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution to the International Olympic Committee representative in the United States with the request that it be circulated to members of the Committee.

□ 1350

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to the rule, the gentleman from California [Mr. LANTOS] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. LANTOS].

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I want to express my deep appreciation to all of my colleagues on both sides of the aisle who have been so strongly supportive of this resolution.

I specifically want to express my appreciation to the original cosponsors of this resolution: the distinguished gentleman from Georgia [Mr. GINGRICH], Republican whip; chairman of the Democratic caucus, the gentleman from Maryland [Mr. HOYER]; the ranking Republican on the Committee on Foreign Affairs, the gentleman from New York [Mr. GILMAN]; my neighbor and colleague, the gentleman from California [Ms. PELOSI]; the Republican cochairman of the congressional human rights caucus, the gentleman from Illinois [Mr. PORTER]; my good friend, the gentlewoman from Maryland [Mrs. MORELLA]; the gentleman from New Jersey [Mr. SMITH]; the distinguished deputy whip, the gentleman from Georgia [Mr. LEWIS]; and my colleague, and my colleague, the gentleman from California [Mr. TORRES], a former ambassador to UNESCO.

Mr. Speaker, in 1996, we all look forward to celebrating the Olympics in Atlanta. And within less than 2 months, the International Olympic Committee will vote to decide the site of the Olympics in the year 2000.

Hard as this may be to believe, Communist China is one of the countries attempting to have the Olympics in its own city of Beijing. It is not unlike having proposals come before the Olympics Committee from other totalitarian countries. Maybe Mr. Milosevic would propose to hold the Olympics in Belgrade, notwithstanding ethnic cleansing and mass rapes, or Fidel Cas-

tro would like to have the Olympics in Havana, or perhaps Saddam Hussein in Baghdad.

The purpose of our resolution, Mr. Speaker, is to express the view of the Congress that in September of this year, given the abominable human rights record of Communist China, it would be unthinkable and unconscionable to agree to holding the Olympics, in the year 2000, in China.

I have the highest regard, Mr. Speaker, for the Chinese culture and civilization and for the Chinese people, and nothing would please me more than to be able to stand up in the future and in good conscience advocate the holding of the Olympics in Beijing in the year 2004, assuming that by the time that decision is made, China's human rights record will have improved to the point that we, in good conscience, can agree to holding the Olympics there. But not within 6 weeks.

All of the human rights abuses, that are practiced anywhere in this planet, are practiced in China. Let me just mention one, however, which is almost unique to Communist China. That, of course, is the practice of forced abortions. It is repugnant to all of us, whether we are in favor of choice or whether we are opposed to choice in this field. Forced abortions are not compatible with the concept of a civilized society.

I would like to suggest, Mr. Speaker, that the Olympics do not take place in a moral or a political vacuum. I remember, as an 8-year-old boy, being glued to my radio set, listening to the reports of the Berlin Olympics and developing in my own nonpolitical child's mind an image of Berlin, and not the Germany which was so totally at variance with the reality that existed in Hitler's empire.

Do we really want to give the hundreds of millions of people across this globe the magnificent image of the Olympics 2000 unfolding in Beijing, to have the memory of Tiananmen Square totally obliterated? Is this really the hidden agenda of some who are proposing that these Olympic games, unlike all other Olympic games, take place in a moral vacuum?

I find it particularly obnoxious, Mr. Speaker, that the man designated to head Beijing's bid for Olympics 2000 is the former mayor of Beijing, who issued the order that unleashed the massacre of Tiananmen Square. It boggles the mind to observe this degree of insensitivity to the concerns of the civilized world, to have the mastermind of Tiananmen Square now guarantee the International Olympic Committee that there will be no disturbances in Beijing. Such a promise can only turn our stomachs. I am sure there would be no disturbances, because this dictatorial regime would see to it that all protesters are immediately imprisoned.

I am very pleased, Mr. Speaker, that a number of distinguished Senators, in-

cluding our distinguished former Olympian, Senator BRADLEY, are sponsoring a parallel resolution in the U.S. Senate. I would like to quote briefly from Senator BRADLEY's public testimony at a hearing, just last week, on this subject.

This topic brings together two subjects of great interest to me: China and the Olympic games. I thank you for the opportunity to make my position clear and to explain why I am so opposed to allowing China to host the Olympics in the year 2000.

One of the athletic experiences that I treasure the most is the opportunity I had to represent this country at the 1964 Summer Olympics in Tokyo. I remember the spirit of excitement and comradeship that pervaded the Olympic Village. Participating in an activity which promotes so effectively the ideas of athletic excellence, sportsmanship and fairness was a great way for me to represent my country.

It is in that spirit that nations should be awarded the Olympic games. To be selected as the site for the games is to be given a chance to put your nation on a pedestal, to associate yourself with its idealistic traditions and to broadcast these positive images around the globe. The games confer honor and respectability on the nation chosen to host them.

That is why there is never a shortage of countries eager to bid for the games, despite the large public investment required to host them. It is for this reason that the Beijing government has submitted a bid for the 2000 games. By associating itself with the positive symbols of the Olympic movement, the Chinese leadership seeks to erase the memories of Tiananmen Square and divert attention from its human rights record.

We do not believe that we should allow the Chinese Government a huge propaganda victory, while it routinely tortures and imprisons political dissidents, severely restricts freedom of assembly and freedom of expression, brutally suppresses religious practices and oppresses the native population of Tibet.

As our own State Department stressed in its 1992 human rights report, China's human rights practices have remained repressive, falling far short of internationally recognized and accepted norms.

□ 1400

I therefore strongly urge my colleagues to approve this resolution and to reject the bid of the dictatorial regime in Beijing to hold the Olympic games in China in the year 2000.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the resolution before the House is really quite simple. The International Olympic Committee is considering naming the city of Beijing as the host of the year 2000 Olympic games. This is the same city where less than 4 years ago, a peaceful demonstration in support of democracy was ruthlessly crushed. Moreover, the individual in charge of securing the Beijing bid was the mayor who signed the martial law decree authorizing the troops into Tiananmen Square in 1989.

The House has before it a resolution expressing opposition to the Olympic

Committee's consideration of Beijing. Does the Olympic Committee really believe the Olympic games, a major event known for its symbolism, should be held in a nation notorious for human rights abuses, allegations of weapons proliferation, violations of sovereignty, and executions of its own people because of peaceful demonstrations? This House, a symbol of democracy worldwide, is going on record in opposition to such a preposterous idea.

I would like to thank the chairman, the gentleman from Indiana [Mr. HAMILTON] and the ranking member, the gentleman from New York [Mr. GILMAN] for their strong efforts in the promotion of human rights worldwide. I strongly support the resolution, and urge Members to lend it their overwhelming support.

Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I am happy to yield to the gentleman from New York [Mr. SOLOMON].

Mr. GOODLING. Mr. Speaker, I am happy to yield 4 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank both gentlemen for being willing to yield time to me.

Mr. Speaker, I rise to express the strongest possible support for this resolution. I want to pay a special tribute to the author of this resolution, the gentleman from California [Mr. LANTOS], for whom I have great, great admiration and respect.

The conviction and the consistency that he brings to the task of promoting human rights around the world is an inspiration to me personally, as I am sure it is to every Member of this House; I say that with all sincerity.

I urge support of this resolution and, indeed, I hope it passes unanimously. I expect to ask for a vote in order to try to get that unanimous vote. I think the issue is that important. But I cannot let this occasion pass today without noting the irony of the situation.

Here we are, preparing to pass a resolution which contains one of the most blistering indictments against the human rights practices of a foreign government that I have ever read, as well it should. I served on the Committee on Foreign Affairs with the gentleman for many, many years, and this is the strongest indictment that I have ever heard. That is the way it should be.

Yet, many of the Members who will vote for this resolution today—and who will congratulate themselves for a job well done—are the very same Members who voted only 5 days ago for a business-as-usual relationship with this very same foreign government, the Chinese Communist regime, the People's Republic of China. The PRC continues to enslave a fifth of the world's population, over 1 billion people, behind the deadly atheistic philosophy called com-

munist, which is still a threat to freedom and democracy everywhere in the world.

We only have to look at China and North Korea and Vietnam and Cambodia and Cuba and all of these other countries that are still enslaved under deadly atheistic communism. And then we see that the People's Republic of China is the only government in the world today that is increasing, and I repeat, increasing its spending on its military, having increased it almost 20 percent just this past year alone.

Why? America and the rest of the free world had better be asking themselves that question: Why, why, why, why, why? Mr. Speaker, I recall a former Communist dictator named Khrushchev, and I was just a young man at the time when he made a famous statement. In effect he said, "They," meaning the capitalists of the world, "will sell us the rope with which we will hang all of them," or something like that. I am sure the gentleman remembers it.

Mr. Speaker, again, with a fifth of the world enslaved under communism in China, I think it is about time that we not only pass this resolution, but that we also pay attention to what is happening over there and rethink our entire Asia policy. I urge unanimous support of this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to thank my good friend, the gentleman from California [Mr. LANTOS], and the gentleman from New York [Mr. SOLOMON] for their leadership on this very, very important issue.

Mr. Speaker, the People's Republic of China has one of the worst human rights records in the world. Courageous Chinese activists who often pay a heavy price for speaking out, the State Department and independent human rights organizations have documented the far-reaching abuses in China. However, because China does not permit independent monitoring of its human rights activities, the abuses which are documented are only the tip of the iceberg of a pervasive government policy which seeks to control and suppress all aspects of an individual's life. In China today, workers have no rights, prisoners are tortured and beaten, religious expression is tightly controlled, many brave souls have been martyred, some are close to death in prisons as we speak, and a vast network of gulags, filled to overflowing with political prisoners, use forced labor to make goods for cheap export.

Now China wants to host an Olympic extravaganza in the summer of 2000. To

permit this would make us party to a despicable showcase of hypocrisy.

Mr. Speaker, this resolution wisely urges the International Olympic Committee to seek a host more suitable to represent the Olympic spirit. It also sends a message to the Chinese Government that the United States and the world will not reward them for their past and present violations of internationally acceptable standards for human rights.

Mr. Speaker, if there is any doubt that the Chinese Government does not interfere with the most intimate aspects of human life, we only need to consider its coercive one child per couple population control policy, the most barbaric attack on women, children—the family—in the history of the world. This odious policy denies couples the right to determine the number and spacing of their children. Each couple is allowed only one child and the state further invades a couple's prerogative by dictating when, pursuant to an offensive birth quota system. Those who fail to follow the government's draconian policy are subjected to forced abortions, beatings, fines, confiscation or destruction of property, and heavy taxation. Under the Chinese system, if a child is not approved by the state, the child is murdered and the parents are cruelly punished.

Although the Chinese authorities deny that their population control policy is coercive—they deny all violations of rights—a recent story in the New York Times, which I have submitted to the RECORD, further documents vividly the tragic truth. On December 30, 1992, Li Qiuliang was 7 months pregnant. The local family planning official required that Ms. Li have her child in 1992 to meet the local quota. To enforce the policy Ms. Li was taken to an unsanitary first-aid station where the official ordered labor to be induced, over the protests of her family and doctor. The baby died 9 hours later and Ms. Li, who almost died during labor, is now incapacitated.

Millions of women like Ms. Li have been subjected to the abuse of this birth quota policy.

When I think of my own family, my four children, I am moved for the millions of Chinese who will never have the opportunity to choose the number of children they will have. If my wife and I lived in China, three of our kids would have been murdered by the Government. My concern over this issue is not academic nor political, it is intensely personal as I put myself in their situation.

The Chinese Government's birth quota policy is an affront against women. An article in last week's New York Times indicates that there is an alarming imbalance in the number of boys being born compared with the number of girls—118 boys are born for every 100 girls and 12 percent of all females are aborted or unaccounted for.

The use of ultrasound to determine the gender of the child in womb is increasingly on the rise because parents, faced with the government-ordered mandate of having only one child, place a higher value on having a male child than female. Even the title of the New York Times article expresses the utter disregard that the Chinese people are developing toward having girls: "Peasants of China Discover New Way to Weed Out Girls;" as if little girls were the weeds of the earth, simply to be uprooted and tossed into the trash bin.

This policy is a crime against women and children, it is an affront to the most fundamental of all rights, the right to life itself. Even Secretary of State Christopher called this coercive policy "really very abhorrent." Yet even with all the evidence, the Chinese Government continues to say that this policy is completely voluntary. If this were true, there would not be so many Chinese seeking asylum in the West so that they can escape this abuse.

The Chinese Government not only controls the bodies of its citizens through this coercive birth quota policy, it attempts to control the minds and beliefs of its people through religious discrimination and persecution. Last week I submitted for the RECORD a list of over 100 men and women, mostly Catholic and Protestant clergy who are currently in prison, being detained, or suffering harassment at the hands of the Chinese Government. Some who are elderly are currently being detained in old age homes where the government claims they are being cared for. Given the condition of a body of an elderly bishop who died while being detained, I can only wonder what type of care these people, whose only crime is adherence to the Christian faith, are receiving.

Mr. Speaker, these are only a few examples of the violence that the people of China experience at the hand of their government. Now China wants to be rewarded by the international community with the opportunity to host the Olympics in 2000.

The Olympics stand as a symbol of all that is good in international competition and cooperation. They afford the host nations the opportunity to speak to the world of hospitality, good cooperation, and the triumph of the human spirit. To reward China with the opportunity to host the Olympics would be a gross mistake.

□ 1410

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding the time. I want to thank the gentleman from California [Mr. LANTOS], chairman of the subcommittee, for his good work, as well as our ranking member of the Committee on Education and Labor,

and the ranking member of the Committee on Rules. But I must say I disagree with them about this legislation and the effect that it will have, and so I rise to oppose it.

It was, as I recall, a Supreme Court Justice who had the habit in the morning when he would pick up his early newspaper to set aside the front page section and go immediately to the sports page, and when he asked why he had that habit he said, "Well, I prefer to read about people's successes first thing in the morning. I'll get around to their failures a little later in the day when I'm better up to it." Perhaps that delineates the difference between sports and politics. I am not sure in this instance that they are not like oil and water, and that we are incorrectly trying to mix them.

Are human rights important? Absolutely. Has China violated human rights? Yes, and they are wrong in doing that. But that is not the question before us now.

The question is whether or not we can help to change that by either boycotting the games, or as this resolution would say, put the House on record as saying the games should not be held in China. Some would have suggested and in fact did suggest on the floor here not long ago that it was a mistake for us to be involved in the Berlin games because of Nazism. What does America and the world remember of the Berlin games? Nazism? No. Jesse Owens, and the success of an American sports hero. America was right to have taken part in those games.

I may have cast many wrong votes since I have been in the House, but one vote I recognize was a vote that former President Jimmy Carter asked for, and that was to boycott the Moscow games. America did boycott them. I voted with President Carter and the vast majority of the Members of this House, and I have come to believe that that vote and that boycott was a mistake. It was a moot act on behalf of the United States. It disappointed our wonderful athletes, and it helped keep the Iron Curtain in place.

Let us not let another Iron Curtain descend this time, walling off freedom, and discussion, and sports, and coalition building, walling off the world's most populous nation, China. I urge my colleagues to oppose this resolution.

Mr. GILMAN. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I thank the distinguished gentleman from New York for yielding the time.

Mr. Speaker, in 7 years Deng Xiaoping will be 95 years old. Will he be gone? Who knows? Will China have changed? Who knows? Will the rule of law, and basic human rights, the right of free speech, the right to worship as one chooses have taken hold in China? Who knows?

The decision of who will host the Olympics in the year 2000 must be made soon. The judgment of where the world's focus will be when the nations of the world send their athletes to compete some seven summers from now must be made based on what we know today.

What we know today is that China has never apologized for Tiananmen Square, has never apologized for the slaughter of hundreds of innocent students and academics and others longing for greater freedom, demonstrating peacefully for political freedom in a country that has none.

What we know is that today China holds thousands of political prisoners. What we know, Mr. Speaker, is that today's China uses prison labor to produce products which unfairly compete with those produced in societies like our own.

What we know is that today's China represses religious observance.

What we know is that today's China condones female infanticide and forced abortion.

What we know is that today's China sells weapons to rogue regimes around the world.

And what we know is that today's China is branded as a major human rights abuser by every credible human rights organization on Earth.

Should such a China be rewarded with the 2000 Olympics? Should today's China which says that human rights are an internal affair, and that standards of human rights are subject to cultural relativism be so rewarded?

Mr. Speaker, no. No, we cannot reward such a China.

We hope and pray that there will be a new China by the year 2000, that the political repressors will have gone, and that there will be a new regime and a new day in China. But we have no assurance that that will occur.

I commend the gentleman from California, the gentleman from New York, and all of those who have offered this resolution, because this is the right position for the United States to take. We must say no. China must join the world of civilized nations that live according to the rule of law, that respect human dignity, that protect individuals against excesses of the state. And when such a China emerges we will be more than happy to say yes, China should have the Olympics, China should be the host, China is a part of the world of civilized nations.

Until then, Mr. Speaker, no. No, China must not have the Olympics in the year 2000.

I urge Members to vote for this resolution.

Mr. GILMAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I am pleased to rise in strong support for House Resolution 188 and I commend the gentleman from

California [Mr. LANTOS], the cochairman of our human rights caucus for introducing this important, timely legislation. I am pleased to join with him as a cosponsor of this initiative.

It is an outrage that a Communist nation which continues to violently suppress its own people, threatens Taiwan, Hong Kong, and the entire region with an enormous arms buildup, and sells nuclear and missile technology to tyrants around the globe, would suggest that its bloodstained capital host a global celebration.

It is especially insulting that the mayor of Beijing who signed the martial law decree authorizing the entry of troops into Tiananmen Square in 1989, is currently chairman of Beijing's 2000 Olympic bid committee.

Mr. Speaker, the notion to hold the year 2000 Olympics in Beijing should be treated more like a bad joke than any serious proposition. Accordingly, I fully support House Resolution 188 and I urge my colleagues to support this measure opposing selecting Beijing as the site for the Olympics in the year 2000.

□ 1420

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

First, Mr. Speaker, I want to thank all of my distinguished colleagues for their most eloquent and much-appreciated support.

Mr. Speaker, I agree with those who argue that we should have more contact with China, but I do not believe that having more contact with China means allowing this dictatorial regime to reap the benefits associated with securing the Olympics.

I would like to remind my colleagues that just before the 1990 Asian games that were held in Beijing, almost a million people were arrested by Chinese Communist public security authorities to prevent any disruption. Were we to hold the games, the Olympic games, in Beijing, this would be an enormous setback for the international Olympic movement.

We must not allow the Olympics to be associated with the dictatorial totalitarian regime. We must not stand idly by and allow this to happen.

Mr. Speaker, the Washington Post, in a recent editorial, came to the same conclusion, and I would like to quote its concluding paragraph:

China took a chance by putting in its 2000 bid, and to lose our might embarrass sponsors of the initiative. But there is a useful lesson to be learned: This is 1993. The world is changing. Large-scale systemic human rights violations are incompatible with the conduct expected of a nation seeking status as a late-20th century Olympics host. It is nice to think of sport as a high community united by devotion to individual achievement. It is more realistic and urgent to see human rights as a higher community united by devotion to individual dignity. How exciting and wonderful it would be to have China earn the Olympics of 2004.

Mr. HAMILTON. House Resolution 188 demonstrates once again the commitment of the gentleman from California [Mr. LANTOS] to human rights issues and principles. I commend the gentleman for his strong leadership on this issue.

The committee received a letter from Assistant Secretary of State Wendy Sherman stating the administration's view on House Resolution 188. I would like to include Ms. Sherman's letter in the RECORD.

This resolution reflects the principle that the Olympic games and the abuse of human rights do not mix. Hosting the Olympic games is not a right of great power status but a privilege earned by civilized behavior. I am pleased that the administration endorses this principle. I know that the American people support it.

The resolution sends a powerful signal prior to the International Olympic Committee's decision scheduled for September on the site for the Summer Olympics in the year 2000. It also makes a statement about human rights principles and priorities that should endure beyond the present debate. I urge its adoption.

U.S. DEPARTMENT OF STATE,
Washington, DC, July 20, 1993.

Hon. LEE HAMILTON,
Chairman, Foreign Affairs Committee, House of Representatives.

DEAR MR. CHAIRMAN: This letter responds to your committee's request for views on H. Res. 188, expressing the sense of the House that the 2000 Olympics should not be held in the Beijing or elsewhere in China.

The Administration has made protection of human rights a fundamental tenet of its foreign policy. In particular, the Administration has expressed deep concern about the human rights situation in China. On May 28, the President signed an historic Executive Order conditioning for the first time most favored nation tariff treatment for China on significant overall progress in China's human rights performance.

During the World Conference on Human Rights in Vienna last month, the United States delegation publicly opposed efforts by China to limit freedom of speech by the Dalai Lama at a parallel forum of non-governmental organizations.

During the months ahead the United States intends to step up its efforts to persuade Chinese leaders to end human rights abuses. In particular it will press for the release of political prisoners, for a full accounting of those killed or imprisoned in the post-1989 crackdown on the democracy movement, for access to Chinese prisons by impartial international observers, and for evidence of significant progress on other issues highlighted by the President in his MFN executive order. These issues will be raised in a series of high-level meetings by Administration officials, beginning next month with a visit to China by Assistant Secretary of State for Human Rights and Humanitarian Affairs John Shattuck. The Administration intends to emphasize repeatedly to the Chinese leadership that significant human rights progress must occur if the current favored trading relations are to be extended.

Given the prestige that hosting the Olympic games confers on the host country as well as the goal of the Olympics to foster comity among nations, the Administration strongly believes that a country's human rights performance should be an important factor in the selection of a site for the 2000 Olympics. We welcome the statement by

International Olympic Committee (IOC) President Juan Antonio Samaranch that the IOC will closely consider human rights in making its site selection. To that end the United States communicated to the International Olympic Committee, through the U.S. Committee member, our views by providing copies of our 1992 human rights reports on all candidates to host the 2000 Olympics.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this letter.

I hope we have been responsive to your inquiry. Please do not hesitate to contact me if you have additional questions.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary,
Legislative Affairs.

Mr. HOYER. Mr. Speaker, I rise today as a cosponsor and strong supporter of House Resolution 188, expressing the sense of the House that the Olympic games in the year 2000 should not be held in Beijing. As you know, a decision on a site for the games will be made within the next 3 months, and China is a leading candidate. Our resolution urges United States officials on the International Olympics Committee to vote against China's bid to host the Olympic games.

Mr. Speaker, all of us remember the massacre that took place in Tiananmen Square just 4 short years ago. In 1989, a year when the winds of democracy and freedom were sweeping the world, Chinese authorities persecuted and slaughtered thousands of brave civilians who had dared to challenge their policies. After the massacre a massive witch-hunt ensued; hundreds were summarily detained, and later dozens were executed. I raise these issues, Mr. Speaker, because they are not ancient history. The people responsible for the Tiananmen Square massacre are still the leaders of China today.

China is a society that remains tense, ruled by a government that has been successful in quashing virtually all open expression of dissent. Systematically depriving its citizens of any possibility to exercise the most fundamental human rights and robbing them of the social and economic rights it claims to champion, China is a nation engaged in a dangerous waiting game, each citizen seeking to outlive a regime almost universally viewed as illegitimate.

Our President has sought to extend most-favored-nation trade status to China for at least 1 year, and this body has overwhelmingly supported him. But implicit in our support is the understanding that 1 year from this time, China's human rights practices will be subject to serious scrutiny, and our trading relations reviewed. This is not a question of the United States imposing its values and standards on a sovereign state. We are talking about basic notions of human rights and freedoms which the Chinese has itself endorsed in the Universal Declaration of Human Rights.

We have served notice to the Chinese authorities that our words will be matched by actions, that our own strong commitment to human rights and democracy will play an integral role in our foreign policy. We have given them 1 year to manifest action of their own.

Mr. Speaker, it is my strong hope that the Chinese authorities will rise to the challenge of

history. It is my strong hope that the Chinese Government will recognize at last that true security and stability can only be achieved when respect for individual human rights is guaranteed. But until we see evidence of that recognition, until we see tangible improvement in what is by all accounts an atrocious human rights performance, then we must refrain from taking actions which grant legitimacy and sustenance to that brutal regime. To honor today's Beijing with the 2000 Olympic games—a year ripe with symbolic prestige and glamour—is dangerously perverse and premature. The Olympic games are a time-honored celebration of individual triumph and strength, of the human spirit, of national pride. How can we entrust this event to a state whose policies are directly opposed to the values the Olympics represent? If we see significant improvement in the years ahead, then China's bid to host could be considered. But to take this step today is a mistake.

I strongly urge my colleagues to join me in support on House Resolution 188.

Mr. TORRES. Mr. Speaker, I am grateful to my esteemed colleague, Mr. LANTOS, for authorizing House Resolution 188, which provides this Congress with the opportunity to focus our attention on the issue of human rights in China.

I have been a consistent supporter of free trade with China, and, I have voted against conditioning our most-favored-nation status with China. But, I rise today to support the resolution by my esteemed colleague, TOM LANTOS, communicating the serious concern of the U.S. Congress for China's human rights record. I feel that it is most appropriate, now that the United States has renewed most-favored-nation trade status with China, to remind our friends in China that privileged trading relationships must be based upon strong practices of human rights and justice.

As a member of the newly formed Congressional Task Force on United States-China Policy, I believe that we must encourage the leaders in Beijing to improve the treatment of their own people, to conduct economic relations with the rest of the world on a free and fair basis, and to refrain from destabilizing delicate regional conflicts by the profit-driven export of weapons of mass destruction, and the technology to produce them.

I support House Resolution 188 and believe that it sends an important message of United States policy, and of human decency, to the leaders of the People's Republic of China.

In order to participate in international activities, such as hosting the Olympic games, standards of human rights are criteria which will, and must be considered, by all free nations.

I urge that the leadership of the People's Republic of China, hear the statement being made by this resolution. The U.S. House of Representatives is on record: Systematic human rights violations by any nation, will be seen as a barrier that will prevent that nation from full participation in cooperative activities with the democratic people of this world.

Mr. Speaker, I urge my colleagues' support for House Resolution 188.

Mrs. MINK. Mr. Speaker, I join my colleagues in expressing my opposition to the People's Republic of China hosting the summer Olympic games in the year 2000.

The Olympic games were revived in 1896 to promote an interest in education and culture, and improve international understanding through the medium of athletics. The modern Olympic games have since grown greatly in stature and prestige, and, by virtue of that stature and prestige, seem to confer the world's approval on any nation privileged to host the games. I feel strongly that the People's Republic of China does not yet warrant such implicit international approval.

One of the world's worst violators of basic human rights, the Beijing Government:

Refuses to fully account for the thousands of persons who were arrested and detained in relation to the prodemocracy demonstrations of 1989;

Fails to respect civil liberties and continues to severely restrict speech and self-expression;

Engages in massive transfers of population in order to marginalize the Tibetans inside Tibet, and continues its efforts to suppress the Tibetan people and destroy their culture and religion;

Imposes tight control over religious practice and engages in greater repression of religion;

Prohibits the establishment of independent organizations to publicly monitor and comment on human rights conditions in China;

Refuses requests by international human rights delegations to meet with political prisoners and former detainees, and expels foreign visitors who express similar interests; and

Denies its workers the right to organize independent trade unions and to bargain collectively.

In addition to the above abuses and violations of internationally accepted norms of human rights, the former mayor of Beijing, Chen Xitong, the man who called for the crackdown of prodemocracy demonstrators and who signed the martial law decree authorizing the entry into Beijing of the troops that enforced the crackdown, is the Chair of the Beijing 2000 Olympic Bid Committee.

I strongly urge the House of Representatives adopt a resolution informing the International Olympic Committee that it opposes having the People's Republic of China host the Olympic summer games in the year 2000.

Mr. LANTOS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from California [Mr. LANTOS] that the House suspend the rules and agree to the resolution, House Resolution 188, as amended.

The question was taken.

Mr. SOLOMON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks on the resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

The votes will be taken in the following order:

H.R. 1757, by the yeas and nays; and House Resolution 188, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 229

Mr. LINDER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from the bill, House Joint Resolution 229, Cost of Government Day. While I support the intent of this legislation, I have made a commitment not to cosponsor commemorative legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

NATIONAL INFORMATION INFRASTRUCTURE ACT OF 1993

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1757, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. BOUCHER] that the House suspend the rules and pass the bill, H.R. 1757, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 326, nays 61, not voting 47, as follows:

[Roll No. 365]

YEAS—326

Abercrombie	Barca	Bevill
Allard	Barcia	Bilbray
Andrews (ME)	Barlow	Bishop
Andrews (NJ)	Barrett (WI)	Blackwell
Andrews (TX)	Bartlett	Bliley
Applegate	Barton	Blute
Bacchus (FL)	Bateman	Boehlert
Baessler	Becerra	Bonior
Baker (CA)	Beilenson	Borski
Ballenger	Bereuter	Boucher

Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Byrne
Calvert
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (MI)
Condit
Coppersmith
Costello
Coyne
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fish
Flake
Foglietta
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Grams
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hilliard
Hinchey
Hoagland
Hobson

Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hyde
Inlee
Istook
Jacobs
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kahnjorski
Kaptur
Kennelly
Kildee
Kim
King
Klecza
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtle
Maloney
Mann
Margolies-
Mezvisinsky
Markley
Martinez
Matsui
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
Meehan
Meek
Menendez
Meyers
Miller (CA)
Mineta
Minge
Mink
Molinar
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Oliver
Ortiz
Orton
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)

Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skeltton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Spratt
Stark
Stearns
Stenholm
Strickland
Studds
Stupak
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitton
Williams

Wilson
Wise
Wolf

Woolsey
Wyden
Wynn

Yates
Young (FL)
Zimmer

NAYS—61

Archer
Armey
Bachus (AL)
Barrett (NE)
Boehner
Bonilla
Bunning
Burton
Callahan
Canady
Coble
Collins (GA)
Combest
Cox
Crane
Dickey
Doolittle
Dornan
Dreier
Duncan
Everett

Goss
Greenwood
Hancock
Hansen
Hefley
Herger
Hoekstra
Hoke
Hutchinson
Inglis
Inhofe
Johnson, Sam
Kasich
Kingston
Knollenberg
Kolbe
Kyl
Linder
Livingston
Manzullo
McKeon

McNulty
Mica
Michel
Miller (FL)
Moorhead
Myers
Nussle
Petri
Pombo
Royce
Schaefer
Shuster
Smith (OR)
Solomon
Spence
Stump
Thomas (WY)
Young (AK)
Zeliff

NOT VOTING—47

Ackerman
Baker (LA)
Bentley
Berman
Bilirakis
Brooks
Bryant
Buyer
Collins (IL)
Conyers
Cooper
Cramer
DeLay
Derrick
Dingell
Fingerhut

Ford (MI)
Ford (TN)
Gillmor
Hefner
Henry
Hochbrueckner
Hutto
Jefferson
Johnson (CT)
Kennedy
Lewis (FL)
Lightfoot
Manton
McCandless
McCollum
McDade

Mfume
Moakley
Owens
Packard
Pelosi
Quillen
Ridge
Rostenkowski
Sharp
Stokes
Sundquist
Taylor (NC)
Torricelli
Towns
Visclosky

□ 1447

Messrs. HUTCHINSON, CANADY, PETRI, KASICH, and SPENCE changed their vote from "yea" to "nay."

Messrs. HILLIARD, SMITH of Michigan, PICKETT, and PAXON changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING THE SENSE OF THE HOUSE THAT THE OLYMPICS IN THE YEAR 2000 SHOULD NOT BE HELD IN CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 188, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. LANTOS] that the House suspend the rules and agree to the resolution, House Resolution 188, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 287, nays 99, answered "present" 2, not voting 46, as follows:

[Roll No. 366]

YEAS—287

Abercrombie
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Armey
Bacchus (FL)
Bachus (AL)
Baker (CA)
Ballenger
Barca
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Beilenson
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehert
Bonilla
Bonior
Borski
Boucher
Browder
Brown (FL)
Brown (OH)
Bunning
Burton
Byrne
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Coppersmith
Costello
Cox
Coyne
Crapo
Cunningham
Danner
de la Garza
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dornan
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
Eshoo

Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fish
Flake
Foglietta
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gilchrest
Gilman
Gingrich
Goodlatte
Goodling
Gordon
Grams
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Harman
Hastings
Hayes
Hefley
Hinchey
Hobson
Holden
Horn
Houghton
Hoyer
Huffington
Hunter
Hutchinson
Inglis
Inhofe
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kasich
Kildee
King
Kingston
Klecza
Klein
Klug
Kopetski
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lazio
Lehman
Levin
Levy
Lewis (GA)
Linder
Lipinski
Livingston

Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manzullo
Margolies-
Mezvisinsky
Markey
Matsui
Mazzoli
McCloskey
McCrery
McHale
McHugh
McInnis
McKeon
McNulty
Meehan
Menendez
Meyers
Michel
Miller (CA)
Mineta
Mink
Molinar
Mollohan
Moorhead
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Oliver
Pallone
Pastor
Paxon
Payne (VA)
Peterson (FL)
Petri
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Rogers
Rohrabacher
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder

Schumer	Stupak	Velazquez
Scott	Swett	Vento
Sensenbrenner	Swift	Walker
Serrano	Synar	Walsh
Shays	Talent	Waters
Sisk	Tauzin	Waxman
Skeen	Taylor (MS)	Wheat
Skelton	Tejeda	Whitten
Slaughter	Thomas (CA)	Wilson
Smith (NJ)	Thomas (WY)	Wise
Smith (TX)	Thompson	Wolf
Snowe	Thornton	Woolsey
Solomon	Torkildsen	Wyden
Spratt	Torres	Wynn
Stark	Tucker	Young (AK)
Stearns	Unsoeld	Young (FL)
Strickland	Upton	Zeliff
Studds	Valentine	Zimmer

NAYS—99

Archer	Hughes	Parker
Baesler	Hyde	Payne (NJ)
Barlow	Inlee	Penny
Bateman	Istook	Peterson (MN)
Boehner	Jacobs	Pickett
Brewster	Johnson (GA)	Pickle
Brown (CA)	Johnson (SD)	Pomeroy
Callahan	Johnston	Roberts
Chapman	Kanjorski	Roemer
Clement	Kennelly	Roth
Collins (MI)	Kim	Roukema
Crane	Klink	Schaefer
Darden	Knollenberg	Shaw
Deal	Kolbe	Shepherd
DeFazio	Kreidler	Shuster
Dellums	Laughlin	Skaggs
Dooley	Leach	Slatery
Dreier	Lewis (CA)	Smith (IA)
English (OK)	Martinez	Smith (MI)
Franks (NJ)	McCurdy	Smith (OR)
Gekas	McDermott	Spence
Gibbons	McKinney	Stenholm
Glickman	McMillan	Stump
Gonzalez	Meek	Tanner
Goss	Mica	Thurman
Green	Miller (FL)	Trafficant
Hansen	Montgomery	Volkmer
Hastert	Murphy	Vucanovich
Herger	Myers	Washington
Hilliard	Nussle	Watt
Hoagland	Ortiz	Weldon
Hoekstra	Orton	Williams
Hoke	Oxley	Yates

ANSWERED "PRESENT"—2

Beocerra	Minge
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NOT VOTING—46

Ackerman	Ford (TN)	Moakley
Baker (LA)	Gillmor	Owens
Bentley	Hefner	Packard
Berman	Henry	Pelosi
Brooks	Hochbrueckner	Quillen
Bryant	Hutto	Ridge
Buyer	Jefferson	Rostenkowski
Collins (IL)	Kaptur	Sharp
Conyers	Kennedy	Stokes
Cooper	Lewis (FL)	Sundquist
Cramer	Lightfoot	Taylor (NC)
DeLay	Manton	Torricelli
Derrick	McCandless	Towns
Dingell	McCollum	Visclosky
Fingerhut	McDade	
Ford (MI)	Mfume	

□ 1458

Messrs. PAYNE of New Jersey, ENGLISH of Oklahoma, HERGER, SMITH of Michigan, and LEWIS of California, and Mrs. ROUKEMA changed their vote from "yea" to "nay."

Mr. POMBO changed his vote from "nay" to "yea."

Mr. INGLIS of South Carolina changed his vote from "present" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Resolution to express the sense of the House of Representatives that the Olympics in the year 2000 should not be held in Beijing or elsewhere in the People's Republic of China."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PACKARD. Mr. Speaker, had I been present for the following rollcall vote, I would have voted "yes" on rollcall vote numbered 366.

I would have voted "no" on rollcall vote number 365.

PERSONAL EXPLANATION

Mr. HOCHBRUECKNER. Mr. Speaker, due to a family emergency, I was away from the House on official leave of absence. Therefore, I would like to place in the RECORD how I would have voted on the following votes:

Rollcall No. 365, "aye."

Rollcall No. 366, "aye."

PERSONAL EXPLANATION

Mr. FINGERHUT. Mr. Speaker, due to official business in my district, I was not present during the House session. Had I been present, I would have voted "yes" on H.R. 1757, the National Information Infrastructure Act, and "yes" on House Resolution 188, expressing the sense of the House that the Olympics in the year 2000 should not be held in China.

PERSONAL EXPLANATION

Mr. LEWIS of Florida. Mr. Speaker, due to official business in Florida, I was not able to return today in time for two rollcall votes.

Had I been here, I would have voted "aye" on H.R. 1757, the National Information Infrastructure Act.

I also would have voted "aye" on House Resolution 188, expressing the sense of the House that the Olympics should not be held in Beijing, or anywhere else in the People's Republic of China.

□ 1500

HELSINKI HUMAN RIGHTS DAY

Mr. LANTOS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 111) to designate August 1, 1993, as "Helsinki Human Rights Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. GILMAN. Mr. Speaker, reserving the right to object, I shall not object, and I yield to the gentleman from Maryland [Mr. HOYER], Cochairman of

the Helsinki Commission, for an explanation of this measure.

Mr. HOYER. Mr. Speaker, as Cochairman of the Commission on Security and Cooperation in Europe, I am pleased that the House is taking up the pending resolution requesting and authorizing the President to designate August 1, 1993, as "Helsinki Human Rights Day."

On August 1, 1975, the leaders of 35 countries gathered in Helsinki, Finland, to sign the Final Act of the Conference on Security and Cooperation in Europe. The Final Act encompasses human rights and fundamental freedom as well as military security, trade, economic cooperation, environment concerns, scientific and cultural exchanges. The Final Act has been a vehicle for the promotion and preservation of human rights for the past 18 years. Since its inception, the Final Act has consistently served as a benchmark by which other countries' human rights records are measured. It has been an effective tool for constructive change.

Human rights have been the cornerstone of the Helsinki process. By signing the Final Act the participating states have recognized and affirmed that human rights and fundamental freedoms are the unalienable right of all human beings regardless of their national origin, race, religion, or gender. The CSCE remains vigilant and committed to human rights, democracy, the rule of law, and has consistently encouraged peaceful change through free and fair elections.

Throughout its history, the CSCE has served as a forum through which human rights cases could be aired. Hundreds of political prisoners have been released and families reunited as a result of the moral suasion brought to bear against offending states. The Helsinki process was a critical factor in bridging the gap that artificially divided Europe for nearly a half century.

Today, the number of signatory states has increased to 53 fully participating states with the former Yugoslav Republic of Macedonia participating in the process as an observer. Although the cold war has ended, many of the newly independent states are faced with perhaps greater challenges than their predecessors. The collapse of the totalitarian Communist regimes in Eastern Europe and the former Soviet Union has dramatically changed the CSCE and the political dynamics of the member states. The disintegration of the Communist bloc has, at the same time, allowed long-suppressed ethnic and religious animosities, extreme nationalism, territorial aggression, and xenophobia to rise to the surface. In many ways, the violation of human rights in Europe has never been worse in the post-World-War period.

In the former Yugoslavia, innocent people in Bosnia and Herzegovina have

been systematically and brutally murdered, raped, and forcibly displaced as a result of armed Serb and Croat aggression. In the Caucasus, thousands of Armenians and Azeris have been killed in fighting over Nagorno-Karabakh, and in the Central Asian State of Tajikistan civil war continues to claim countless lives. Egregious human rights abuses have been reported in Turkmenistan, Uzbekistan, and Tajikistan.

Mr. Speaker, this legislation reaffirms and asserts the United States' commitment to the fulfillment of the Helsinki Accords by all the signatory states. It expresses the Congress' belief that human rights and foreign policy cannot be mutually exclusive. I thank my colleagues who joined me in sponsoring this resolution for their support and look forward to the timely adoption of this resolution.

In closing, Mr. Speaker, let me congratulate the gentleman from New York [Mr. GILMAN] and the gentleman from California [Mr. LANTOS], two of this body's strongest, outspoken proponents of the rule of law and of the observance of human rights.

I also note on the floor a member of the Helsinki Commission, my good friend, the gentleman from Illinois [Mr. PORTER], who is the cochairman, along with the gentleman from California [Mr. LANTOS] of the human rights caucus.

Mr. GILMAN. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Illinois [Mr. PORTER], cochairman of the human rights caucus.

Mr. PORTER. Mr. Speaker, as one of the original sponsors of the resolution, I rise in strong support of Senate Joint Resolution 111, which designates August 1, 1993, as "Helsinki Human Rights Day."

I commend the gentleman from California [Mr. LANTOS], the gentleman from New York [Mr. GILMAN], and the gentleman from Maryland [Mr. HOYER] and so many others who have taken very strong positions in support of this legislation.

With the adoption of this resolution, we are again reminded of the historic achievements which were made with the signing of the Helsinki Final Act on August 1, 1975. Nations which signed this important document pledged to respect human rights and fundamental freedoms and to strengthen democratic institutions in their countries.

Since that time, the Helsinki process has made an important contribution in fostering respect for human rights and fundamental freedoms in much of Central and Eastern Europe and the former Soviet Union.

□ 1510

Today, with ethnic tension and civil unrest on the rise in Central and Eastern Europe and with the tragic conflict

in the former Yugoslavia and in Central Asian Republics ongoing, it is imperative that the commitment of the United States to the Helsinki process is reaffirmed. Our country, as the only remaining superpower in the world, has a responsibility to lead. We should take the opportunity to promote our values—freedom, human rights, democracy, and the rule of law—in order to help the spread of democratic principles in countries around the world. The Helsinki process provides us with a framework to advance the goals which we share with most of the signatory states of the Helsinki accords for a free, peaceful, and democratic Europe.

Mr. Speaker, one of the smartest public policy initiatives taken in this body was when Millicent Fenwick, a Representative from New Jersey, 18 years ago proposed the Helsinki Commission. It was a proposal to bring together representatives of the executive and legislative branches into a single body that would institutionalize our commitment to the Helsinki process, and particularly to the basket on human rights. Constitutional questions were raised as to whether the executive and legislative branches could come together in this way, but Millicent Fenwick persevered and overcame those objections, and got the legislation passed to create the commission.

The commission has been successful beyond her fondest dreams. It has kept the issues of human rights under the Helsinki Accords before us. It has kept our focus on them. It has kept us working to advance the cause and pressure Eastern Europe and the Soviet Union to stop human rights abuses through all these years.

Mrs. Fenwick served so ably here. She passed away a few years ago, Mr. Speaker, but she leaves the Helsinki Commission as one of her greatest legacies. It is a model for legislation I have instituted to create a similar commission to keep our focus on sustainable development, a Rio Commission that I hope we can adopt and can follow to keep that subject before this body in the same way that human rights have been in our focus for so many years.

Mr. Speaker, this is a very important resolution. I commend the leaders who have brought it before us. It should be adopted and I urge every Member to support it.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I thank the gentleman for his supportive remarks.

Mr. Speaker, further reserving the right to object, I am pleased to yield to the gentleman from California [Mr. LANTOS], the cochairman of the caucus on human rights.

Mr. LANTOS. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I want to salute the gentleman from Illinois [Mr. PORTER]

and the gentleman from Maryland [Mr. HOYER] for bringing this important issue to our attention, and I strongly urge the approval of the resolution.

Mr. Speaker, I ask unanimous consent to include for the RECORD a letter from the chairman of the Committee on Post Office and Civil Service which relates to this issue.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE ON POST OFFICE
AND CIVIL SERVICE,
Washington, DC, July 23, 1993.

Hon. LEE H. HAMILTON,
Chairman, Committee on Foreign Affairs, House
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request of July 23, 1993, I am pleased to advise you that this Committee is willing to waive consideration, without prejudice to its jurisdiction, of S.J. Res. 111 ("Helsinki Human Rights Day"), which has been jointly referred to our Committees. I have no objection to your requesting the House to consider this matter.

With kind regards,
Sincerely,

WILLIAM L. CLAY,
Chairman.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I rise in enthusiastic support of Senate Joint Resolution 111 which designates August 1, 1993, as Helsinki Human Rights Day. That day will commemorate the unique, notable contribution which the Helsinki accords have made toward the remarkable developments we have seen in Eastern Europe and the former Soviet Union. It will afford the citizens of the United States an opportunity to reflect on those human rights enshrined in the Final Act of the Helsinki accords, rights which have guided the development of this country throughout its long and honorable history.

While we justly celebrate the significant advances made in the cause of democracy and of the widespread enjoyment of human rights in so much of Europe, we cannot help but note those regions where ethnic and nationalist tensions have spurred conflict. In the former Yugoslavia, Tajikistan, Nagorno-Karabakh, and the Republic of Georgia, the eruption of long submerged hostilities remind us that the full promise of the Helsinki agreement remains to be fulfilled.

We hope and pray that as we commemorate the signing of the Helsinki accords, each of us will renew our commitment to human rights and democracy and redouble our efforts to work with the citizens in other signatory states to ensure that this important document which provides the backbone for a peaceful, harmonious and prosperous Europe, is universally respected.

Mr. Speaker, I urge the adoption of Senate Joint Resolution 111.

Mr. GOODLING. Mr. Speaker, the resolution designating August 1, 1993, as Helsinki

Human Rights Day, in celebration of the anniversary of the signing of the Helsinki accords, is a worthy and appropriate measure.

The pledges and commitments made at Helsinki 18 years ago raised the meaning of the cold war to a higher plateau, undermining the legitimacy of those nations which violate human rights and deny basic freedoms.

The dissolution of the Soviet Empire has unleashed old animosities, some festering for decades and centuries, with the principles of Helsinki being tested and violated. Peoples of Europe, and signatories to the CSCE, must know the United States remains committed to the principles of Helsinki. This resolution reaffirms that ongoing commitment to the promotion of human rights and fundamental freedoms and emphasizes our belief that much more needs to be done. The battle for freedom won a great victory with the dissolution of the Soviet Empire, but the war for human rights and democracy is still being waged and has yet to be won. The mission of the CSCE is more important than ever, and I urge my colleagues to lend this fine resolution their full support.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 111

Whereas August 1, 1993, is the 18th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) (hereafter referred to as the "Helsinki Accords");

Whereas the participating States have declared that "the protection and promotion of human rights and fundamental freedoms and the strengthening of democratic institutions continue to be a vital basis for our comprehensive security";

Whereas the participating States have declared that "respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities, democracy, the rule of law, economic liberty, social justice, and environmental responsibility are our common aims";

Whereas the participating States have acknowledged that "there is still much work to be done in building democratic and pluralistic societies, where diversity is fully protected and respected in practice";

Whereas the war in Bosnia-Herzegovina has resulted in organized, systematic, and premeditated war crimes and genocide and threatens stability and security in Europe;

Whereas growing ethnic tensions, civil unrest, and egregious human rights violations in several of the newly admitted CSCE states, most notably in Tajikistan, are resulting in significant violations of CSCE commitments; and

Whereas the CSCE has contributed to positive developments in Europe by promoting and furthering respect for the human rights and fundamental freedoms of all individuals and groups and provides an appropriate framework for the further development of such rights and freedoms and genuine security and cooperation among the participating States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HELSINKI HUMAN RIGHTS DAY.

(a) DESIGNATION.—August 1, 1993, the 18th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe, is designated as "Helsinki Human Rights Day".

(b) PROCLAMATION.—The President is authorized and requested to issue a proclamation reasserting America's commitment to full implementation of the human rights and humanitarian provisions of the Helsinki Accords, urging all signatory States to abide by their obligations under the Helsinki Accords, and encouraging the people of the United States to join the President and Congress in observance of Helsinki Human Rights Day with appropriate programs, ceremonies, and activities.

(c) HUMAN RIGHTS.—The President is requested to convey to all signatories of the Helsinki Accords that respect for human rights and fundamental freedoms continues to be a vital element of further progress in the ongoing Helsinki process; and to develop new proposals to advance the human rights objectives of the Helsinki process, and in so doing to address the major problems that remain.

SEC. 2. TRANSMITTAL.

The Secretary of State is directed to transmit copies of this joint resolution to the Ambassadors or representatives to the United States of the other 52 Helsinki signatory States.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on Senate Joint Resolution 111, the Senate joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CLINTON TAX PLAN WILL HURT SMALL BUSINESS

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, for the last several weeks we have heard about how the Clinton tax plan is good for small business. There is only one problem: the only people saying that are Democrat Members of Congress. Unfortunately for them, real live small business owners have something different to say.

Continuing my series highlighting the real impact of the Clinton tax plan on real people, I have here a letter from John Lieberman, president of Lieberman Realtors in Wayne, PA.

He talks about the challenges facing small businesses—a shortage of credit, an increase in health care costs, Federal and State over-regulations.

"Raising taxes will not solve this problem, only aggravate it," he writes. Remember, every small business will be hit by higher taxes, if they file as corporations or if they as individuals. Either way, we are taking money away from these people who are trying so hard to make ends meet.

So when it comes to taking the pulse of the small business community, I have got two choices. I can listen to my Democrat colleagues on the House floor, who tell me that the Clinton tax plan is good for small business; or I can listen to every business group in America, as well as small business leaders from my own district, who tell me it stinks. I wonder who I will believe.

Mr. Speaker, I include for the RECORD the letter from Mr. Lieberman.

LIEBERMAN, INC., REALTORS,

Wayne, PA, July 20, 1993.

Congressman CURT WELDON,

1554 Garrett Road,

Upper Darby, PA.

DEAR CONGRESSMAN WELDON: I am writing to you regarding my misgivings concerning the new budget being proposed by President Clinton. I believe this proposed budget does nothing towards solving the heart of the problem affecting small businesses today such as mine; that there is very little credit being extended by the financial institutions to allow small businesses to grow.

I am president of my own commercial and industrial real estate brokerage firm. Due to the regulations placed on banks and the fear created by the regulators who supervise them, banks are unwilling to lend the necessary funds many of our clients need to expand their operations. As a result, business conditions are stagnated and properties won't lease or sell without the proper credit going through the marketplace.

Raising taxes will not solve this problem, only aggravate it. I urge that a budget be adopted that includes less regulation on financial institutions, which in turn will encourage these same institutions to lend funds to the small businesses that desperately need it.

Respectfully yours,

JOHN E. LIEBERMAN,

President.

AUTHORIZING SPECIAL ORDER TIME

Mr. TUCKER. Mr. Speaker, I ask unanimous consent that today, following legislative business and any special orders heretofore entered into, the following Members may be permitted to address the House, revise and extend their remarks, and include therein extraneous material:

Mr. BONIOR, for 5 minutes, on July 27.

Mr. DURBIN, for 60 minutes today.

Mr. MATSUI, for 60 minutes each day, on September 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, and October 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, and November 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, and December 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, and 31.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. TUCKER]?

Mr. WALKER. Mr. Speaker, reserving the right to object, and I will not object, except some years ago when there was an attempt on this side to reserve time well in advance, it seems to me that at that point there was opposition from the majority leadership, and the Chair ruled that there was going to be a question raised about these long durations of time for special orders to be reserved.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, do I understand that that is not a problem now, and I am propounding, I guess, a parliamentary inquiry, under my reservation, but that is not a problem, and in fact Members, if they do want to participate in special orders, should now take this route of reserving time for months in advance, and maybe each Member should prepare at the beginning of each session to reserve every day of the year for special orders?

□ 1520

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from Pennsylvania brings up an interesting point. The Chair, for his part, certainly believes that this practice should not be encouraged.

However, this permission for long-term special orders has been granted on both sides of the aisle in the recent past. There is no policy, but perhaps a policy is required, and the Chair will convey the gentleman's concern to the Speaker.

Mr. WALKER. Further reserving the right to object, the Chair is absolutely correct, both sides have engaged in this practice. And I know there are Members on our side as well as Members on the other side who have reserved these long-term special orders.

I am just seeking some guidance as to whether or not that is a pattern that the rest of us ought to engage in to ensure that we also have our time set aside.

The SPEAKER pro tempore. The Chair certainly would not encourage that, and until the Chair establishes a policy, the Chair must grant the requests as asked.

However, the gentleman's concern will be made a part of the RECORD.

Mr. WALKER. The Chair is correct.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FLOOD RELIEF LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Speaker, it is my understanding that tomorrow we will have on the floor once again the rule

on flood relief, which is exactly the same rule that was turned down by the House last week.

There has been quite a bit of comment about this particular rule and this matter over the weekend with regard to whether or not the House is seeking to engage in delaying tactics to get relief to flood victims. Nothing of the kind is involved. But in the case of this particular rule, it is a very strange rule, and one which should be focused on by the American people who want to do what is right for the flood victims.

Contained in this rule is a self-enacting provision that essentially says that we are going to adopt a new policy. The new policy will be to call 30-year-old teenagers, make them eligible for teenage programs, pay them \$100 a week stipend for keeping themselves well-groomed. If that sounds like it is absolutely absurd, that is because it is absurd, and that absurd provision is being attempted to be tacked onto the emergency relief for flood victims.

Some of us have contended that it ought not be a matter which is a part of an emergency supplemental bill designed to help flood victims to change the social policy and extend the social welfare state in such an absurd manner. The Democratic leadership has moved heaven and Earth to try to make certain that the 30-year-old teenager provision goes into the rule, goes into the bill and is kept for the entire process. One has to assume that the Democratic leadership has their own reasons for making that kind of a commitment along the way. But it certainly does stand in the way of getting flood relief to the people who are in need and who deserve the attention of the Government in Washington.

I would suggest that the easiest way to get by this matter is not to bring the rule to the floor, just bring the bill to the floor. The fact is that the chairman of the Appropriations Committee can bring the bill to the floor without a rule. I am confident that that bill will be approved by the House, that we would get the flood relief to people, and we would not then have to deal with this policy change of having well-groomed teenagers 30 years old getting \$100 a week of taxpayer money. In fact, some of my staff who are under 30 are wondering whether or not they will now qualify for a \$100 a week stipend under the provision that the House is going to bring up. It is that absurd, and we need to focus on the real reason that this debate has gotten to this point.

The best thing for the House to do is take up the bill without this 30-year-old teenager provision.

One thing also needs to be said about this 30-year-old teenager provision. It has been represented to the House that what we are trying to do is correct a technical error that was made the last

time this absurd idea passed the House of Representatives, and understand, there are some Members in the House of Representatives who have already voted for this absurdity. But it went to the Senate, and the Senate said no way, we are not going to put up with that. We may be able to hold our noses and say that 30-year-olds can now be counted as teenagers, but we are not going to pay them \$100 a week stipend.

It is represented to us that that decision by the Senate, reflected in the conference committee, is a technical error. It is not a technical error. The Senate realized, as some of us in the House realized when this thing passed, that it is bad policy, it is a bad idea and it needs to be rejected outright. It should be rejected outright when the rule comes up tomorrow as well.

When the rule comes up tomorrow with the 30-year-old teenager provision in the rule, Members ought to vote against the rule, not because they are against aid to the flood victims, but because that is a bad idea. Then the appropriations bill, minus that provision, ought to be brought to the floor for immediate consideration.

I am confident that the House will pass then the flood relief for the victims of the flood in the Midwest, and we will do so without this extraneous, absurd provision. Hopefully the House now is prepared to do the right thing rather than the wrong thing.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROTH (at the request of Mr. MICHEL), for July 23 after 10:30 a.m., on account of family matters.

Mr. ROBERTS (at the request of Mr. MICHEL), for July 23, after 12:30 p.m., on account of viewing flooding in his district.

Mr. VENTO (at the request of Mr. GEPHARDT), for July 23, on account of personal business.

Mr. FIELDS of Louisiana (at the request of Mr. GEPHARDT), for July 23, on account of official business.

Mr. FROST (at the request of Mr. GEPHARDT), for July 23, on account of illness.

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for July 23 and today, on account of official business.

Mr. HOCHBRUECKNER (at the request of Mr. GEPHARDT), for today and July 27, on account of a death in the family.

Mr. BUYER (at the request of Mr. MICHEL), for today, on account of a death in the family.

Mr. MCDADE (at the request of Mr. MICHEL), for today, on account of medical reasons.

Mr. DERRICK (at the request of Mr. GEPHARDT), for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EVERETT) to revise and extend their remarks and include extraneous matter:)

Mr. PAXON, for 5 minutes, on July 27.

Mr. QUINN, for 5 minutes, on July 27.

Mr. GOSS, for 5 minutes, today.

Mr. WALKER, for 5 minutes, today.

(The following Members (at the request of Mr. TUCKER) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, on July 27.

Mr. DURBIN, for 60 minutes, today.

Mr. MATSUI, for 60 minutes each day, on September 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, and 30, October 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, and 29, November 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, and 30, and December 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, and 31.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. EVERETT) and to include extraneous matter:)

Mr. GOODLING in two instances.

Mr. GRAMS.

Mr. FRANKS of Connecticut.

Mrs. FOWLER.

Mrs. BENTLEY.

Mr. SCHAEFER.

Mr. MANZULIO.

Mr. GREENWOOD.

Mr. MCDADE.

Mr. COX.

Mr. PORTER.

Mr. WALSH.

Mr. EVERETT in two instances.

Mr. SMITH of Texas.

Mr. ROHRBACHER.

Mr. BERUETER in two instances.

Mr. KOLBE.

Mr. WELDON.

Mr. CAMP.

Mr. MCCANDLESS.

Mr. SAM JOHNSON of Texas.

Mr. SOLOMON.

Mr. GALLO.

Mr. KYL.

Mr. SHAW in two instances.

The following Members (at the request of Mr. TUCKER) and to include extraneous matter:

Mr. ACKERMAN in three instances.

Mr. FOGLIETTA in two instances.

Mr. CLEMENT.

Mr. LIPINSKI.

Mr. STUPAK.

Mr. LANTOS.

Mr. SWETT.

Mr. STOKES in two instances.

Mr. MANTON.

Mr. MFUME.

Mr. HOYER in two instances.

Mr. COYNE.

Mr. POSHARD.

Mr. MCCURDY.

Mr. KREIDLER.

Ms. HARMAN.

Mr. KILDEE.

Mr. SANGMEISTER.

Mr. FAZIO.

Mr. MINGE.

Ms. DELAURO.

Mr. BROWN of California.

Mr. MAZZOLI in two instances.

Mr. KANJORSKI.

Mr. STARK in two instances.

Mr. COSTELLO in three instances.

Mr. DARDEN.

Mr. BREWSTER.

Mrs. LLOYD.

Ms. EDDIE BERNICE JOHNSON of Texas.

Mr. PRICE of North Carolina.

Mrs. SCHROEDER.

Mr. BARLOW.

Mr. SCHUMER.

Ms. LONG.

Mrs. MALONEY.

Mr. TRAFICANT.

Mr. COLEMAN.

Mr. RANGEL.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 184. An Act to provide for the exchange of certain lands within the State of Utah, and for other purposes; to the Committee on Natural Resources.

S.J. Res. 92. Joint resolution to designate the month of October 1993 as "National Down Syndrome Awareness Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 95. Joint resolution to designate October 1993 as "National Breast Cancer Awareness Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 99. Joint resolution designating September 9, 1993, and April 21, 1994, each as "National D.A.R.E. Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 97. Joint resolution to commemorate the sesquicentennial of the Oregon Trail; to the Committee on Post Office and Civil Service.

S.J. Res. 101. Joint resolution to designate the week of July 25 through July 31, 1993, as the "National Week of Recognition and Remembrance for Those Who Served in the Korean War" to the Committee on Post Office and Civil Service.

S.J. Res. 102. Joint resolution to designate the months of October 1993 and October 1994 as "Country Music Month"; to the Committee on Post Office and Civil Service.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 54. Joint resolution designating April 9, 1994, as "National Former Prisoner of War Recognition Day."

ADJOURNMENT

Mr. HOYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 27, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1645. A letter from the Comptroller General, General Accounting Office, transmitting a review of the President's sixth special impoundment message for fiscal year 1993, pursuant to 2 U.S.C. 685; to the Committee on Appropriations and ordered to be printed.

1646. A letter from the Comptroller of the Department of Defense, transmitting a report of two violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1647. A letter from the Chairperson, Advisory Committee on Student Financial Assistance, transmitting the final report on student loan program simplification, pursuant to 30 U.S.C. 1085; to the Committee on Education and Labor.

1648. A letter from the Secretary of Education, transmitting Final Regulations—Library Research and Demonstration Program; Improving Access to Research Library Resources Program; College Library Technology and Cooperation Grants Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1649. A letter from the Administrator, General Services Administration, transmitting notice of a proposal for new or altered Federal records systems or matching programs, pursuant to 5 U.S.C. 552a(r); to the Committee on Government Operations.

1650. A letter from the Secretary, Department of Transportation, transmitting a report on foreign shipbuilding subsidies, pursuant to Public Law 102-484, section 1031(c) (106 Stat. 2489); jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. LONG:

H.R. 2735. A bill to limit the acceptance of gifts, meals, and travel by Members of Congress and congressional staff, and for other purposes; jointly, to the Committees on House Administration, the Judiciary, and Standards of Official Conduct.

By Mr. COLEMAN (for himself, Mr.

PETE GEREN of Texas, Mr. BRYANT, Mr. SKEEN, Mr. TEJEDA, Mr. ORTIZ, Mr. TORRES, Mr. STENHOLM, Mr. CHAPMAN, Mr. GONZALEZ, Mr. RICHARDSON, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BROOKS, Mr. HUNTER, Mr. SARPALIUS, Mr. FROST, Mr. PASTOR, and Mr. LAUGHLIN):

H.R. 2736. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make grants to address waste water needs of the residents of colonias in the southwest region of the United States,

and for other purposes; to the Committee on Public Works and Transportation.

By Mr. GALLO (for himself, Mr. ZIMMER, Ms. MOLINARI, and Mr. HOBSON):
H.R. 2737. A bill to require the Administrator of the Environmental Protection Agency to undertake a study of Superfund sites to assess the progress in reducing the health and environmental risks and to prioritize the need to clean up the remaining sites; to the Committee on Energy and Commerce.

By Mr. MARTINEZ:

H.R. 2738. A bill to amend the Immigration Reform and Control Act of 1986 to extend alien eligibility for educational assistance under the SLIAG Program; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Mr. MINETA, Mr. SHUSTER, and Mr. CLINGER):

H.R. 2739. A bill to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SHAW (for himself, Mr. BACCHUS of Florida, Mr. SOLOMON, Mr. GIBBONS, Mr. ROHRBACHER, Mr. LEWIS of Florida, Mr. MICA, Mr. HUFFINGTON, Mr. WALKER, and Mr. MILLER of Florida):

H.R. 2740. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. TORRICELLI (for himself, Mr. GILMAN, and Mr. HINCHEY):

H.R. 2741. A bill to authorize the Secretary of the Interior to provide funds to the Palisades Interstate Park Commission for acquisition of lands in the Sterling Forest area of the New York/New Jersey Highlands Region; to the Committee on Natural Resources.

By Mr. WHEAT (for himself and Ms. DANNER):

H.R. 2742. A bill to amend the Small Business Act to reduce the interest rates on disaster loans provided by the Small Business Administration for losses resulting from flooding in Midwest communities participating in the national flood insurance program; to the Committee on Small Business.

By Ms. WOOLSEY:

H.R. 2743. A bill to require a reduction in the annual Department of Defense and Department of Transportation budgets by the total amount expended by those departments for pay and benefits and costs of investigation, administrative discharge, and any legal fees pertaining to such, for any member of the Armed Forces discharged during the preceding fiscal year on the basis of homosexual status or conduct for any grounds that do not apply equally to members of the Armed Forces who are heterosexual; jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

By Mr. YATES:

H.J. Res. 239. Joint resolution to authorize the President to proclaim September 1994 as "Classical Music Month"; to the Committee on Post Office and Civil Service.

By Mr. SANTORUM:

H. Con. Res. 127. Concurrent resolution expressing the sense of the Congress that the President should award a medal of honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving in the U.S. Army during World War II; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FRANK of Massachusetts:

H.R. 2744. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Swell Dancer*; to the Committee on Merchant Marine and Fisheries.

By Mr. SANTORUM:

H.R. 2745. A bill for the relief of Wayne T. Alderson; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 436: Mr. KASICH, Mr. ALLARD, Mr. BALLENGER, Mr. HOKE, Mr. DICKEY, Mrs. JOHNSON of Connecticut, Ms. ROS-LEHTINEN, Mr. SHAW, Mr. BACHUS of Alabama, Mr. BOEHNER, Mr. SMITH of Michigan, Ms. PRYCE of Ohio, Mr. KIM, Mr. CRANE, and Mr. CASTLE.

H.R. 449: Mr. WASHINGTON.

H.R. 468: Mr. SHAYS.

H.R. 476: Mr. PETERSON of Minnesota.

H.R. 498: Mr. POMBO.

H.R. 561: Mr. POSHARD and Mr. SMITH of Texas.

H.R. 703: Mr. SCHIFF, Mr. KINGSTON, and Mr. McMILLAN.

H.R. 746: Mr. McMILLAN, Mr. MARTINEZ, Mr. HUGHES, and Mr. HORN.

H.R. 962: Mr. RIDGE, Mr. INSLEE, Ms. THURMAN, and Mr. DURBIN.

H.R. 1051: Ms. WATERS.

H.R. 1164: Miss COLLINS of Michigan.

H.R. 1172: Mr. TUCKER and Ms. ESHOO.

H.R. 1174: Mr. UPTON.

H.R. 1332: Mr. PRICE of North Carolina.

H.R. 1521: Mrs. MINK and Mr. SCOTT.

H.R. 1671: Mr. DUNCAN and Mr. SKELTON.

H.R. 1923: Ms. WATERS.

H.R. 1961: Mr. CASTLE.

H.R. 1987: Mr. HASTINGS and Mrs. MINK.

H.R. 1988: Mrs. MINK.

H.R. 2012: Mr. KREIDLER, Mr. DORNAN, Mr. STARK, Mr. McDADE, Mrs. LLOYD, Mr. TUCKER, Mr. CAMP, Mr. FROST, Mr. HYDE, Mr. HASTERT, Mr. PAYNE of New Jersey, Ms. BYRNE, Mr. MURPHY, Mr. SCHIFF, Mr. ACKERMAN, Mr. MURTHA, Mr. SANDERS, Mr. HUGHES, Mr. GILMAN, Mr. PAYNE of Virginia, and Mr. GINGRICH.

H.R. 2137: Miss COLLINS of Michigan.

H.R. 2142: Ms. WOOLSEY.

H.R. 2144: Mr. SERRANO, Mr. OWENS, and Mr. HASTINGS.

H.R. 2241: Mr. SARPALIUS.

H.R. 2286: Mr. EDWARDS of Texas, Mr. CRAMER, Mr. HUGHES, Mr. PAXON, Mr. ZELIFF, Mr. PETE GEREN of Texas, Mr. ROWLAND, and Mr. FISH.

H.R. 2305: Mr. MARTINEZ and Mr. CHAPMAN.

H.R. 2346: Ms. LOWEY.

H.R. 2357: Ms. SLAUGHTER.

H.R. 2521: Mr. SOLOMON, Mr. RANGEL, Mr. BAESLER, Mr. LEVY, Mr. STUPAK, Mr. KING, Mr. BILBRAY, Mr. McNULTY, Mr. KYL, Ms. MOLINARI, Mr. SCHIFF, Mr. BILIRAKIS, and Mr. McCANDLESS.

H.R. 2523: Mr. ZELIFF.

H.R. 2543: Mr. HALL of Ohio and Mr. EVANS.

H.R. 2597: Mr. KINGSTON and Ms. LOWEY.

H.R. 2602: Mr. MACHTLEY, Mr. PETERSON of Minnesota, Mr. GOODLATTE, Mr. BEREUTER, and Mr. LEHMAN.

H.R. 2647: Mr. HERGER and Mr. DARDEN.

H.R. 2661: Mr. JEFFERSON and Mr. HASTINGS.

H.J. Res. 86: Mr. POSHARD, Mr. DICKEY, Mr. NATCHER, and Mr. YATES.

H.J. Res. 139: Mr. JOHNSON of Georgia.

H.J. Res. 155: Mr. McDADE, Mr. BLACKWELL, Mr. PAYNE of New Jersey, Mr. CLINGER, Mr. MURPHY, Mr. GEKAS, Mr. LAFALCE, Mr. TRAFICANT, Mr. KREIDLER, Mr. KILDEE, Mr. KOPETSKI, Mr. FRANKS of New Jersey, Mr. FOGLIETTA, Mr. LANTOS, Mr. PALLONE, Mr. MURTHA, Mr. NEAL of Massachusetts, and Mr. MORAN.

H.J. Res. 198: Mr. UPTON, Mr. KNOLLENBERG, Mr. SMITH of Michigan, and Mr. TAYLOR of North Carolina.

H.J. Res. 206: Mr. HYDE, Mr. SANDERS, Mr. ROMERO-BARCELO, Ms. SLAUGHTER, Mr. BAESLER, Mr. MARTINEZ, Mr. STOKES, Mr. WALSH, Mr. GILLMOR, and Mr. KLUG.

H.J. Res. 216: Mr. LIPINSKI, Mr. MARTINEZ, Ms. MCKINNEY, Mr. DICKEY, and Mrs. VUCANOVICH.

H.J. Res. 219: Mr. MICHEL, Mr. BILIRAKIS, Mr. VENTO, Mr. SANDERS, Mr. LaROCCO, Mr. DINGELL, Mr. ROYCE, Mr. GUNDERSON, Mr. VISLOSKEY, Mr. MORAN, Mr. HYDE, Mr. BILBRAY, Ms. MOLINARI, Mr. MCCOLLUM, Mrs. MORELLA, Mr. JACOBS, Mr. HUNTER, Mr. McDERMOTT, Mr. QUINN, Ms. PELOSI, Mr. CLYBURN, Mr. KILDEE, Mr. KASICH, Mr. GALLEGLY, Mr. KOPETSKI, Mr. LANCASTER, Mr. TALENT, Mr. LAZIO, Mr. PETERSON of Minnesota, Mr. CLEMENT, Mr. WALSH, and Mr. MACHTLEY.

H. Con. Res. 109: Mr. KOPETSKI, Mr. HASTINGS, Mr. KLEIN, Mr. COBLE, Mr. DE LA GARZA, Mr. McDERMOTT, Mr. LEACH, Mr. PALLONE, Ms. MOLINARI, Ms. MALONEY, Mr. SAXTON, Mr. CLAY, Mr. FALEOMAVAEGA, Ms. LOWEY, Mr. FINGERHUT, Mr. PASTOR, Ms. ROYBAL-ALLARD, Mr. COYNE, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. GORDON, Mr. JEFFERSON, Mr. HOCHBRUECKNER, Mr. DEUTSCH, Mr. LIPINSKI, Ms. PELOSI, Mr. WALSH, Mr. LAZIO, Mr. JACOBS, Mr. FILNER, Ms. BYRNE, Mr. BEILENSON, Mr. RANGEL, Mr. LEVY, Ms. SLAUGHTER, Mr. RAMSTAD, Mr. CARDIN, Mr. LEVIN, Mr. SCHUMER, Mr. FROST, Mr. SISISKY, Mr. MACHTLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARRETT of Wisconsin, Mr. TORRES, Mr. COX, Mr. ALLARD, Mr. ARCHER, Mr. TRAFICANT, Mr. HALL of Ohio, Mr. GREENWOOD, Mr. ACKERMAN, Mr. COLEMAN, Mr. MOLLOHAN, Mr. SWETT, Mr. NADLER, Mr. GINGRICH, Mrs. MEEK, Mr. OWENS, Mr. POMEROY, Mr. HAMILTON, Mr. PRICE of North Carolina, Mr. HUGHES, Mr. PARKER, Mrs. MEYERS of Kansas, Miss COLLINS of Michigan, Mr. WAXMAN, Mr. VENTO, Mr. MATSUI, Mr. SCHIFF, Mr. EMERSON, Mr. HUTCHINSON, Mr. SCHAEFER, Mr. COOPERSMITH, Mr. DeFAZIO, Mr. BACCHUS of Florida, Mr. TUCKER, Mrs. KENNELLY, Mrs. MORELLA, Mr. PICKETT, Mr. FOGLIETTA, Mr. SHAYS, Mr. MARTINEZ, Mr. BACHUS of Alabama, Mr. CHAPMAN, Ms. MARGOLIES-MEZVINSKY, Mr. TORRICELLI, Mrs. JOHNSON of Connecticut, Mr. LEWIS of Georgia, Mr. GENE GREEN of Texas, Mr. FISH, Mr. HOBSON, Mr. DIXON, Mr. TEJEDA, Mr. HILLIARD, Mr. KNOLLENBERG, Mr. INSLEE, Ms. VALAZQUEZ, Mr. GALLEGLY, Mr. NEAL of North Carolina, Mr. GILMAN, Mr. WHEAT, Mr. STUPAK, Ms. WOOLSEY, Mr. STUDDS, Mrs. UNSOELD, Mr. McCLOSKEY, Mr. CRAMER, Mr. ROEMER, Mr. GLICKMAN, Mr. SMITH of Texas, Mr. PETERSON of Florida, Mr. NEAL of Massachusetts, Mr. KLECZKA, Mr. BLUTE, Mr. PETERSON of Minnesota, Mr. EWING, Mr. SUNDUKIST, Mr. ENGEL, Mr. SKELTON, Mr. KILDEE, Mr. MURPHY, Mr. HYDE, Mr. RAVENEL, Ms. THURMAN, Mr. CLEMENT, Mr. SMITH of New Jersey, Mr.

COSTELLO, Mr. DOOLITTLE, Mr. PETE GEREN of Texas, Mr. LANCASTER, Mr. BURTON of Indiana, Mr. WELDON, Mr. MARKEY, Mr. PAYNE of New Jersey, Mr. RICHARDSON, Mr. ROYCE, Mr. ANDREWS of Texas, Mr. KASICH, Mr. KENNEDY, Mr. HOLDEN, Mr. HINCHEY, Mr. GOODLING, Mr. ROMERO-BARCELO, Mr. BALLENGER, Mr. MANTON, Mr. GRAMS, Mr. TAUZIN, Mr. WYDEN, Mr. DURBIN, Mr. LANTOS, Ms. DUNN, Mr. BISHOP, Mr. GEJDENSON, Mr. PAXON, Mr. CARR, Mr. OBERSTAR, Mr. BORSKI, and Mr. GUNDERSON.

H. Con. Res. 113: Mr. FALCOMA, Mr. GILMAN, Mr. HASTINGS, and Mr. PASTOR.

H. Con. Res. 122: Mr. TORKILDSEN, Mr. KENNEDY, Mr. SCHUMER, and Mr. HASTINGS.

H. Res. 188: Mr. VALENTINE and Mr. DIAZ-BALART.

H. Res. 202: Mr. SPRATT, Mr. TALENT, Ms. LOWEY, Mr. POSHARD, Mr. SERRANO, Mr. HASTINGS, and Mr. EMERSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 229: Mr. LINDER.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

54. The SPEAKER presented a petition of Rubber Pavements Association, Washington, DC 20002, relative to paving material; which was referred jointly, to the Committee on Energy and Commerce and Public Works and Transportation.

EXTENSIONS OF REMARKS

RECOGNIZING THE 25TH
ANNIVERSARY OF EAGLE VILLAGE**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize Eagle Village in Hersey, MI, on the occasion of its 25th anniversary of services to children and families. Over the years Eagle Village has opened its doors to over 100,000 people. Today, I join the people of mid-Michigan in celebrating an organization dedicated to enhancing the lives of persons in need.

Eagle Village has enjoyed decades of continuous growth and program development. Founded in 1968 by the Honorable Donald E. Holbrook, and Kermit and Jean Hainley, the present codirectors, the village has gained a national reputation for its leadership in the areas of family-centered residential treatment and foster care, the experiential model, and, most recently, for the development of a Continuum of Care Program.

The original goal of Eagle Village was to be a facility which would provide growth, love, support, treatment, and opportunities for boys who had to be removed from their homes and communities due to special circumstances. As the facility expanded over the years, so did its focus. Programs were initiated which would provide a diversionary and growth experience for all children with behavioral and emotional needs. The results of this program were astounding. School attendance, attitudes, productivity, and delinquency showed significant improvement, and parents reported changed attitudes in the home toward themselves and siblings.

Mr. Speaker, I know you will join me in commending the outstanding individuals that have and continue to make Eagle Village a success. The village now provides such services as residential treatment, intensive foster care, community service, and alternative and family support programs, and is now providing its greatest service to children and families ever. The need for quality support and educational treatment services has never been greater, and Eagle Village stands ready to meet these challenges.

PERMANENT REGULATION OF D.C.
BLUE CROSS AND BLUE SHIELD**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. STARK. Mr. Speaker, I rise today, along with my colleague, Representative JIM McDERMOTT, to introduce a bill amending the

congressional charter for Group Hospitalization and Medical Services, Inc. [GHMSI], to ensure that it remain subject to regulation by its domiciliary jurisdiction, the District of Columbia. I cosponsored a similar bill last Congress with my colleague from California, Representative RON DELLUMS. That legislation became part of the District of Columbia 1992 supplemental appropriations and recissions and 1993 Appropriations Act, Public Law 102-382. Unfortunately, that provision was a stop-gap measure with an effective date beginning on October 5, 1992, and expiring on September 30, 1993. Legislation is now needed to extend that legislation permanently.

In 1939, Congress granted a congressional not-for-profit charter to Group Hospitalization, Inc., GHMSI's predecessor. The unique charter exempts that health insurer from virtually all District of Columbia insurance regulation. For decades GHMSI was protected from regulatory jurisdiction otherwise exercised by the domiciliary States of other insurers.

GHMSI has grown well beyond original congressional expectation, and throughout the late 1980's, upper level management grossly mismanaged the company. They altered GHMSI's fundamental business plan and engaged in financially disastrous business practices marked by creation of unprofitable subsidiaries and ventures into unwise external business deals. These practices were brought to light in hearings held this past January before the Permanent Subcommittee on Investigations of the Senate Governmental Affairs Committee. Most outrageously, while GHMSI plummeted into fiscal chaos, corporate officials, at policyholder expense, wine, dined, and fiddled in luxury resorts and hotels. Were it not for the shield provided by Congress, common insurance regulation could have uncovered and prevented many abuses.

The bill I am introducing today will permanently accomplish several things. First, it will establish the District of Columbia as the legal domicile of GHMSI. Second, it will require that GHMSI be licensed and regulated by the District of Columbia. Third, it will repeal the provision of the charter that exempts GHMSI from regulation by the D.C. insurance superintendent. And, fourth, it will require GHMSI to reimburse the District of Columbia for the costs of its regulation.

Comprehensive health care reform must address ways to protect consumers from excessive health care costs exacerbated by poorly regulated health insurers and unscrupulous health insurance executives. The gaping regulatory loophole through which the proverbial MACK truck was driven in the case of GHMSI will be sealed permanently by passage of this legislation.

50TH WEDDING ANNIVERSARY OF
MR. AND MRS. WILLIAM ZIPPER**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. MAZZOLI. Mr. Speaker, I am pleased to announce to the House and to my colleagues the 50th wedding anniversary of two dear friends and gracious people: Bill and Florence Zipper of Louisville, KY.

Before his retirement, Bill Zipper was one of my hometown's most outstanding small business people. Zipper Heating and Air Conditioning did residential as well as commercial work, and Bill Zipper always gave his customers a dollar's worth of service for a dollar charged.

He and his partner for these past 50 years—Florence—who, I am sorry to relate, is not in excellent health, raised a fine family, supported their church and boosted Louisville higher, harder, and more energetically than any other couple I have ever had the privilege of knowing.

Mr. Speaker, in an era in which so many marriages fail, and so little permanence is evident in personal relationships, Bill and Florence Zipper and their long and steady marriage are examples of constancy and love which are inspiring to us all.

LIKE TAMMANY HALL

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. EVERETT. Mr. Speaker, remember when President Clinton took the extraordinary step of firing every single U.S. district attorney in the country. Why did he do that, Mr. Speaker? Was he trying to protect powerful Democrat Members of this House? And, when will he hire a new chief prosecutor for the District of Columbia?

Mr. Speaker, these questions must be answered. The American people need to know that the President isn't protecting leading Members of this House from criminal prosecution.

With Travelgate, the post office scandal and the firing of Bill Sessions, the Clinton White House is looking less like the Carter administration and more like Tammany Hall.

When will this political cronyism stop and real professionalism begin.

We don't need coverups and more taxes. We need honesty in government and less spending.

Mr. Speaker, the President's message team has promised the country change. And we need real change, but we also need full disclosure.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE TO JOHN B. "JACK" LEE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. COSTELLO. Mr. Speaker, I rise today to bring to my colleagues' attention the outstanding contribution to the medical community and volunteer organizations in southwestern Illinois the career of Mr. John B. "Jack" Lee.

Jack Lee was one of the founders of the Hospice of Southern Illinois, and worked tirelessly for years to build this important program for the terminally ill. At the end of August 1993, Jack will retire as president and chief executive officer of the hospice after 11 years of dedicated service.

Jack began this program with the help of other committed individuals with a budget of \$14,000. Today, Hospice of Southern Illinois is the second largest geographical hospice in the United States, with a projected 1994 budget of over \$7 million.

As a personal friend of Jack Lee, I honor his work and commitment to the hospice. I also urge my colleagues to join me in saluting the outstanding contributions that the hospice provides to thousands of individuals each year.

HONORING THE UNITED JEWISH Y'S OF LONG ISLAND ON THE 11TH ANNUAL INTERNATIONAL JEWISH ARTS FESTIVAL

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to the United Jewish Y's of Long Island on the occasion of its 11th annual International Jewish Arts Festival of Long Island.

The International Jewish Arts Festival will take place on September 5 and 6 on the grounds of the Young Men and Young Women's Hebrew Association—YM and YWHA—of Suffolk County. The Long Island community will be entertained by the talents of over 200 internationally renowned artists and attended to by a vast array of craftsmen, vendors, and volunteers.

The UJY's of Long Island is the central organization for its six member YM and YWHA's on Long Island. Created in 1973 by the Federation of Jewish Philanthropies of New York, now UJA—Federation, the UJY's purposes are to raise capital and endowment funds to develop, plan, expand, and coordinate YM and YWHA services and program activities for the people of Long Island.

Since their first formation in Baltimore in 1854, YM and YWHA's have had a long association in fostering the cultural arts for the enrichment and enjoyment of the individual and the community. The UJY's assists its members and agencies in promoting the cultural arts through consultation and fundraising.

This year the International Jewish Arts Festival of Long Island will be honoring the extraordinary heroism of the Jewish resistance in the Warsaw ghetto, and showcasing the music, art, and literature of the Holocaust era.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join with me now in extending our best wishes and special thanks to the United States Y's of the Long Island for its 20 years of dedicated community service.

TRIBUTE TO THE HONEY BEE STINGERS

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize the outstanding musical performers of the Honey Bee Stingers, on the occasion of their 1,100th performance. I am sure you will join me in appreciation of the entertaining and energetic performances they have been giving to the older Americans of mid Michigan for many years.

It all began when Mr. Bob Cariveau of Beaverton, MI, a honey farmer, had a dream. He woke up one morning and told his wife, Wilma, that they were going to have a band. Not only that, but he predicted that they would have a radio show and go to Nashville. One year later, the Honey Bee Stingers were enjoying one of the highlights of their musical careers, performing at the Ernest Tubbs Jamboree in Nashville, TN. They are the only senior citizen band in the country to have been invited to play at this prestigious event. I have also heard their fine music on a number of occasions.

The Honey Bee Stingers have been together since 1980. As Mr. Cariveau also had foreseen in his dream, they have been performing for 7½ years over a half hour radio program, every Saturday and Sunday on WGDN, in Gladwin, MI. In addition, they play for charities at which they receive donations. These funds are then used to put on their annual community Christmas party, where they play for over 350 children of all ages. They even record this annual event, and send copies to the President and Vice President of the United States.

This is truly an outstanding group of individuals. The ages of the front four members of the band total over 320 years, and the majority of the players are from over the age of 70 years up to 88 years. They are thankful that the members are blessed with good health, and truly enjoy playing for senior citizens and for those who may be unable to get out to enjoy the beauty of music. There are several people in their 80's that come to enjoy the square dancing music that the group performs. The Honey Bee Stingers have dedicated their time and talent to music and all of the joys it can bring. Mr. Speaker, I know you will join me in congratulating and commending the outstanding individuals that make up the Honey Bee Stingers, for the service and enjoyment they have provided to the people of Michigan.

HOUSE PAYS POSTHUMOUS TRIBUTE TO CLARENCE L. WHITE OF STONY CREEK, NY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SOLOMON. Mr. Speaker, Clarence L. White was like a second father to me, and now he's gone.

There has always been one man I would point to when critics say there is no such thing as a dedicated, honest public servant. That man was Clarence White of Stony Creek, NY, who died last night in Glens Falls Hospital. I have never met a more selfless, giving man, and I am not going to pretend that someone can take his place in my memory or my affection.

Clarence White took me under his wing when I first joined the Warren County Board of Supervisors in 1967, and ever since, no one has ever replaced him as my ideal public servant. He had only one personal ambition, and that was to help people. Until the very end, when I wanted to find out what the people back home were thinking, I called Clarence White. His advice was never wrong.

He was a lifelong resident of Stony Creek. After studying business administration at Albany Business College, he built up his own plumbing and heating business. He was a general contractor for a number of years. His private sector experience prepared him well for his public service. Whether you were a customer or a constituent, you got nothing but the best from Clarence White.

He was superintendent of highways from 1940 to 1946, justice of the peace from 1954 to 1965, and town supervisor from 1965 to 1975. From 1975 to the day he died he was a town councilman.

Apart from those official positions, his community involvement alone made him a special person to me. He was a member of the Knowlthurst Baptist Church in Stony Creek and a deacon for many years. He was one of the originators of Stony Creek Mountain Days. And, like so many community leaders, he played an important role in the Stony Creek Volunteer Fire Company and Emergency Squad. He was the fire company's first president, served in the fire police, and was a trustee at the time of his death. All together, he gave 42 years of his life to the fire company.

I wish I could be there tonight at his wake to tell surviving family members how much I and everyone else shares their loss. I wish I could be there to tell him myself, because somehow I feel he would hear me. He would hear my voice, and all the other voices of sincere respect and love for this great man.

Words fail me, Mr. Speaker. Hero, giant, great American, friend, leader—they all apply, but even they can't quite express what I feel about the man who has helped me, taught me, and inspired me for more than a quarter of a century.

He had no peer as a public servant, not in this body or any other. Mr. Speaker, I ask you and other Members to please join me, and let us pay our own tribute to Clarence L. White of Stony Creek, NY, who was not just a good

man. He was a great, loved, and loving man, and I will miss him terribly.

STAYING WITH WHAT WORKS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. HOYER. Mr. Speaker, since the House vote of June 22 to eliminate all funding for the National Endowment for Democracy, there have been a number of editorial columns about that action by some of our most thoughtful commentators, among them David Broder, A.M. Rosenthal, and George Will. Many of my colleagues have seen these writings, which call attention to the consequences for the United States and for those struggling to promote human rights and democracy abroad if funding for NED is not restored.

Perhaps even more significant has been the outpouring of testimonials to NED that have been offered by the major democratic activists throughout the world, among them Dr. Elena Bonner, Dr. Sein Win, Prime Minister of Burma's government in exile, President Sali Berisha of Albania, Fang Lizhi, the distinguished Chinese human rights activist, Vyacheslav Chernovil, head of the democratic movement of Ukraine, and countless other democratic leaders from Chile, Iraq, Ivory Coast, Vietnam, and many other countries.

Mr. Speaker, I have selected one of these letters to share with my colleagues. It is from Vytautas Landsbergis, who led Lithuania's successful fight to reestablish democracy and independence after decades of Soviet domination and who served as its President until February of this year. Mr. Landsbergis is eloquent not only about the timely assistance provided by the National Endowment for Democracy to the democratic forces in his country during the dark days of Soviet occupation, but also about the critical work that remains to be done before democracy can be considered secure in the former Soviet Union. According to Mr. Landsbergis, the kind of assistance NED provides is needed as much today as it was in 1989 and 1990.

Mr. Speaker, I would like to submit President Landsbergis' letter for the RECORD and urge my colleagues to read his words.

VYTAUTAS LANDSBERGIS, M.P.,
Lithuania, July 5, 1993.

Mr. CARL GERSHMAN,
President, National Endowment for Democracy,
Washington, DC.

DEAR MR. GERSHMAN: I was recently informed that the U.S. House of Representatives voted to deny continued funding for the National Endowment for Democracy. This was a great shock to me and I am convinced that, if the U.S. Senate were to concur on this issue, it would signify a great loss both for the United States of America as defender of democracy and for Lithuania because the process of democratization of our economical, social and political life suffers currently from various barriers.

From 1989 to 1991 NED played a critical role in support of Lithuania's drive to reestablish democracy and national independ-

EXTENSIONS OF REMARKS

ence. By supplying Sajudis and other grassroots democratic organizations in Lithuania with computers, telefax machines and other technical assistance as well as paper for its democratic press, NED made our enormous task of challenging, and ultimately defeating, the Soviet totalitarian empire much easier. I recall our meeting in 1989 in Washington when you not only provided me with a forum to address policymakers but also agreed to my request to increase the level of material support to Sajudis. One reason I remember this so well is because you and NED had the foresight and courage to support us at a time when others in the West preferred to sit on the sidelines or even to support Goliath against David.

If the U.S. House of Representatives has voted to abolish NED because it is convinced of the triumph of democracy in Eastern Europe and the former Soviet Union, then it is making a tragic mistake. Anti-democratic forces and anti-democratic tendencies in Lithuania and elsewhere in this region remain strong. There is no guarantee that democracy will flower in the soil of the land that was polluted for 50 years by Communism. One need only look at the current situation in Lithuania to understand that the battle for democracy is only half-complete.

Lithuania's democratic forces do need NED's assistance today as much as they needed its help in 1989 and 1990. I'm certain that you understand this. But I wonder if those U.S. legislators who voted against NED realize that the return of anti-democratic regimes in Eastern Europe and the former Soviet Union, and the resurgence of imperial forces in Russia is an ever-present threat not just to the citizens of these countries but also to those of the United States.

I wish you much success and hope that the U.S. Congress ultimately will decide to restore funding for NED so that it may continue its crucial work in support of democracy in Lithuania as well as elsewhere.

Sincerely,

VYTAUTAS LANDSBERGIS.

TRIBUTE TO SPENCER SUTCLIFFE

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. COX. Mr. Speaker, I rise today to pay tribute to one of my most extraordinary constituents. Spencer Sutcliffe of Irvine, CA, is no ordinary 8-year-old in the third grade at Westwood Basics Plus School. He is a truly remarkable karate champion who captured the gold medal at the recent 10th Ryobu-kai International Karate Championship in Tokyo, Japan.

In a field of 24 competitors from around the world, Spencer won first place in the 8- to 10-year-old division in this prestigious international competition. Holding the rank of second Kyu, Spencer is also the U.S. Karate Federation National Champion in his age division for each of the past 2 years.

For most 8-year-old kids, the summertime is full of athletic and sports activities. Spencer Sutcliffe's summer is that and more: He's again training for the U.S. National Karate Championship in August. As this next event draws near, I'm sure my colleagues will join me in congratulating Spencer Sutcliffe for win-

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ning the international karate championship and join me in wishing him and his instructor, Sensei Kiyoshi Yamazaki, best wishes for continued success.

CONGRESS MUST ADOPT UNIFORM FEDERAL SMOKING POLICY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. TRAFICANT. Mr. Speaker, last month the House Public Works and Transportation Committee approved, H.R. 881, legislation I introduced to restrict smoking in all federally owned and leased office buildings, including Congress and the U.S. courts. Mr. Speaker, I am extremely proud that the Public Works and Transportation Subcommittee on Public Buildings and Grounds, which I have the honor to chair, addressed this problem head on, held extensive hearings, and moved forward with a fair and reasonable legislative remedy. I also applaud the chairman of the full committee, my esteemed colleague NORMAN MINETA, for his leadership in tackling this issue. The committee stepped up to the plate and accepted its responsibility.

I am pleased that my distinguished colleague from California, Mr. WAXMAN, is also addressing the issue of environmental tobacco smoke [ETS]. I applaud Mr. WAXMAN's efforts and look forward to working with him to get meaningful legislation approved that effectively address the ETS problem.

As introduced, H.R. 881 would have called for a total ban on smoking in Federal buildings. After several hearings by the subcommittee, and numerous meetings on this issue, and in the spirit of bipartisan cooperation, I moved forward with a compromise amendment that will provide smokers with some latitude and at the same time protect the health of nonsmokers. Equally as important, the bill as amended will still accomplish a key goal: Protecting the U.S. taxpayer from future workers' compensation costs.

During the Subcommittee on Public Buildings and Grounds' markup of H.R. 881, the subcommittee approved one amendment, which I offered, that would permit smoking only in designated areas of Federal buildings, if the area is separately ventilated or ventilated in a manner determined by the General Services Administration to be as effective as separately ventilated, or the area is ventilated in accordance with Federal indoor air quality standards, if such standards are in effect. My amendment had bipartisan support and was approved by the subcommittee on a voice vote. The following day, the full committee approved H.R. 881, as amended, with one technical amendment.

Mr. Speaker, the subcommittee held three hearings on this issue and received testimony from the U.S. Surgeon General, the Environmental Protection Agency, the General Service Administration, the Department of Labor, the Occupational Safety and Health Administration, medical experts, building management executives, and representatives from the Tobacco Institute. Our hearings were fair, comprehensive, and balanced.

In addition to a wide range of expert testimony on the Environmental Protection Agency's recent findings that ETS is a group A carcinogen, and the methodology used in the EPA study, officials from the Department of Labor testified that the Federal Government has already paid out hundreds of thousands of dollars in workers' compensation claims to nonsmoking Federal employees who have been disabled or impaired due to exposure to ETS.

Mr. Speaker, whether or not one accepts the findings of the EPA study, the fact remains that if Congress does not act to restrict smoking in Federal buildings, the U.S. taxpayer will continue to pay out millions of dollars in workers' compensation claims. From a pure fiscal standpoint, adoption of H.R. 881, as amended, will save the Federal Government millions of dollars over the next 30 years. From a public health standpoint, the compromise crafted by the subcommittee represents a prudent policy, one that has already been adopted by numerous local governments, at least five States and a wide range of private businesses and restaurants.

My bill would provide Federal agencies with the flexibility to develop a smoking policy that respects the rights of smokers, and protects the health of nonsmokers. The legislation would not preclude a Federal agency from imposing a total smoking ban, as several agencies have already done.

Mr. Speaker, Congress has an opportunity to take the lead on this pressing issue and establish a uniform smoking policy for all branches of the Federal Government. H.R. 881 will do just that. The issues are clear and the stakes are high. Congress should approve H.R. 881 this year.

KURT WEISHAUPT CELEBRATES HIS 80TH BIRTHDAY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents and countless people throughout New York and, indeed, the world, in celebrating the 80th birthday of a most giving and selfless individual, Kurt Weishaupt.

The highest degree of dedication to others is exemplified by the person who gives of himself without thought of reward, personal gain, or recognition. Kurt Weishaupt's record of dedication to helping others overcome the most debilitating of handicaps is a prime example of just such dedication.

Kurt's charitable work has grown from local community projects to intensive medical and rehabilitative services that span the world. In 1941, he and his late wife, Trude, arrived penniless in the United States after a 4-year ordeal in which they successfully avoided capture by the Nazis. Through hard work and devotion, he soon fulfilled the American dream. He began a small business, which soon became one of the largest international stamp firms in the world.

Because of his unstinting desire to help others, Kurt has committed a large portion of his

time and financial resources to major philanthropic efforts. Today, he is actively involved in leading or supporting more than 40 such humanitarian organizations.

Most noticeable of all his efforts, is that of chairman of the board of the Gift of Life Program. Organized by Rotarian volunteers in 1973, this project has provided open-heart surgery for more than 1,000 destitute children from 26 different countries. At present, the Gift of Life is supplying various hospitals in Russia with desperately needed medical supplies.

As a trustee of Booth Memorial Medical Center since 1974, Kurt has chaired the center's medical journal, which raises in excess of \$250,000 a year. In addition, when he served as chairman of the community portion of the capital campaign, he raised \$2 million to construct a community health center. Yet Kurt also gives of himself. He donated the hospital's first paramedic ambulance, and in 1984, to honor his late wife, Kurt built the Trude Weishaupt Memorial Satellite Dialysis Center, recognized today as one of the most outstanding such facilities in New York State.

Many other organizations have grown and benefited from Kurt Weishaupt's participation and support. He has served as president of the Flushing Boys Club; president and member of the board of managers of the Flushing YMCA; cochairman of the United Jewish Appeal, stamp and coin division; board member of the Flushing Council on Culture and the Arts; founding member of Philatelic Hobbies for the Wounded; cofounder of Boston's Cardinal Spellman Museum; and board member of the Russian Children's Fund.

In 1986, new joy came into Kurt's life, when he married Ethel Faye. Together, they have continued to enhance the many projects that have been Kurt's bequest to humanity.

Kurt Weishaupt will reach the age of 80 years on August 10, 1993. On Saturday, September 11, Kurt Weishaupt will celebrate his 80th birthday. He will celebrate it the same way he has lived his life—by giving and by helping others. Indeed, Kurt will be donating more than \$700,000 to more than 30 worthy organizations.

Mr. Speaker, I call upon all of our colleagues in the House of Representatives to rise and express our congratulations and our admiration for this great American, a truly outstanding humanitarian—Kurt Weishaupt—as he celebrates his 80th birthday.

TRIBUTE TO ANTONIA LOPEZ AND JAMES C. THOMPSON

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to share with you a story of extraordinary generosity. Ms. Antonia Lopez and Mr. James C. Thompson have, at their own expense, been maintaining different vacant lots in the 35th precinct of the 23d ward in my district. This task consisted of purchasing lawnmowers, and other landscaping equipment in an attempt to preserve the appearance of their neighborhood. They have put years of efforts into this undertaking.

These two individuals have demonstrated an exemplary commitment to community service to the area. At a time, when the economy is growing at a slow pace, and money is hard to come by, these individuals have dug deep into their own pockets and not asked anything in return. The example set by these fine individuals can be one we all take to heart.

Mr. Speaker, it is with great pride that I ask my colleagues to join me in saluting Ms. Lopez and Mr. Thompson for their tremendously unselfish efforts.

INTRODUCTION OF THE CONGRESSIONAL ETHICS REFORM ACT

HON. JILL L. LONG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Ms. LONG. Mr. Speaker, today I am introducing legislation, the Congressional Ethics Reform Act, in order to limit the acceptance of any bonus or gift offered to a Member of either the House or Senate.

Specifically, the bill would disallow: gifts of any value; private financing of Congressional retreats; and Members from giving honoraria for speaking engagements to charities. The bill provides that gift limits would not apply to books or other informational materials, any gift accepted by the Congress under specific statutory authority, or any of the benefits granted to the general public or government employees.

In contrast with employees and officials of the executive branch who may accept gifts in certain instances, this legislation includes restrictions on Members receiving gifts from any person other than a family member or close personal friend.

Similar legislation has been introduced in the other body, by Senator LAUTENBERG. I also know that our colleague, Congressman JOHN BRYANT, the chairman of the Judiciary Subcommittee on Administrative Law and Governmental Relations has been working with a number of Members to craft a thoughtful legislative vehicle that can become law. I look forward to working with him and other members on this issue.

I offer the bill as a means to restore the public's confidence in its elected officials. I encourage Members to examine this measure and to support the bill.

TRIBUTE TO SCOTTSDALE, AZ

HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. KYL. Mr. Speaker, it is with great pride that I stand today to recognize the city of Scottsdale, AZ.

In addition to being lauded as the top resort community in the United States, among the top 30 cities to raise children and one of the 50 fabulous places to retire, the city of Scottsdale has recently been named the Most Livable City in the United States by the U.S. Conference of Mayors.

This award is a tribute to the dedication and hard work of the many citizens of Scottsdale. More specifically, the award recognizes the leadership and vision of Mayor Herb Drinkwater and the city government in implementing the city's downtown redevelopment plan and bond program.

After several years of neglect, the redevelopment plan has helped to revitalize the city's downtown community. In doing so, it has retained Scottsdale's traditional small town feel while accommodating the increased number of visitors attracted to the many shops and tourist attractions offered in the city's center. The city's commitment to its downtown has also led to an increase of over \$370 million in private investment, creating 6,800 new jobs in the city.

It is, therefore, with great pleasure that I recognize the accomplishments of Scottsdale, AZ.

TRIBUTE TO WILLIAM K. LAVIN

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SCHUMER. Mr. Speaker, I would like to take this opportunity to pay tribute to William K. Lavin.

Mr. Lavin lives an active and busy life. He is the chairman of the Board of HeartShare Human Services, a provider of high quality services to the people of New York. He is also a trustee of St. John's University in Queens. From 1965 to 1970 he held the rank of sergeant in the New York State National Guard. St. John's University awarded him an honorary doctorate of commercial science in 1992. Bill currently lives with his wife and seven children in Belle Harbor, NY.

Mr. Lavin, recently appointed chair and chief executive officer of Woolworth, has had a very distinguished career. He is an extremely talented man as well as a true humanitarian. His hard work and dedication are an inspiration to all. He has given his time, his skill, and most of all, his heart, to the community. I wish to thank him for all of his efforts.

SUPPORT FOR THE FLOOD RELIEF BILL

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. COSTELLO. Mr. Speaker, I rise today in strong support of the fiscal year 1993 emergency supplemental flood relief bill. This legislation is vital to many areas in my congressional district, which has been the site of terrible flooding for several weeks.

I am particularly pleased that this legislation includes special funding for the reconstruction and repair of railroads which have been severely damaged by the floods. Railroads are essential to the commerce of the Nation and are a vital economic lifeline for the region.

I call particular attention to the damage done to the small, regional, and shortline rail-

roads of the flood-stricken area. For example, in my district, the Gateway Western Railroad has been endangered by the flood. Its line has been cut and its service interrupted.

The future of Gateway Western's 220 employees have been put at risk and the future of the entire railroad is seriously jeopardized. The funding for the Local Rail Freight Assistance Program that is included in this emergency appropriation is important to the future of this railroad, and the economic strength of the entire region.

COMMUNITY LEADER, GEORGE DALY, IS REMEMBERED

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues the sad passing of George Daly, who died on July 6.

Mr. Daly was president of the board of directors of the New York Foundation for Senior Citizens, a position in which he had served with tremendous distinction since 1983. Under his inspirational leadership and guidance, the foundation established over 35 different social service programs for older persons in our community.

Mr. Daly began his career as a newspaper reporter for the New York Herald Tribune, covering the White House and the State government in Albany. During the last year of the LaGuardia administration, he covered city hall. He later turned his attention and talents to both city and State Democratic politics. As director of publicity for the New York State Presidential election campaigns in 1948 and 1964, and for the Independent Citizens Committee in 1960, Mr. Daly worked tirelessly for the election of Presidents Truman, Kennedy, and Johnson.

Within our community, Mr. Daly served on Manhattan Community Board No. 8 and as a district leader in our area. Mr. Daly's work in the private sector included memberships on the board of directors of Struthers Wells and ABC Industries. He also served as a business consultant to Pan American World Airways and New York Law Journal. In addition, Mr. Daly was part of the group that organized New York Airways, Inc., the helicopter service for the New York metropolitan area.

However, I will always remember George as a mentor and as a friend who consistently inspired me and encouraged me to pursue public service. His commitment to making better public policy was as deep as his zeal was infectious. Right up to the end, George was fighting for the rights of senior citizens, to ensure that their golden years were just that.

That's why I believe it was especially fitting that the New York Foundation for Senior Citizens named its most recent facility for homeless seniors after George. The George Daly House will serve as a living monument to his character and to the outstanding contributions which he made to our community. He will be deeply missed.

TRIBUTE TO DR. MARIO BAUZA, THE FATHER OF AFRO-CUBAN JAZZ

HON. JOSE E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SERRANO. Mr. Speaker, I rise today to mark the passing of and to pay tribute to Dr. Mario Bauza, a man of great musical talent and inspiration who was the creator of a vibrant and unique style of music known as Afro-Cuban jazz. Dr. Bauza died on Sunday, July 11.

Mr. Speaker, Mario Bauza came to our country from his native Cuba in 1930 at the age of 19. He had begun his musical training at the Municipal Academy of Havana at the age of 7, and was a seasoned oboist and a clarinetist for the Havana Philharmonic Orchestra when he made his first trip to New York in 1926 to record traditional Latin dances on RCA. As a Cuban of African ancestry, Mario Bauza was struck by the relative freedom from racism that African-American musicians in Harlem enjoyed. As a talented and ambitious young musician, he was drawn by the jazz sound and the opportunities for work he discovered in New York.

Mario Bauza played with a number of different groups during his early years in New York. He taught himself to play trumpet to fill a vacancy in the band of his fellow Cuban, Antonio Machin, and soon became an accomplished soloist. Sitting in on trumpet one evening with another band, he was discovered by Chick Webb, who immediately asked him to join his band, and made him its musical director a year later. Mario Bauza also played with Cab Calloway's band, where he befriended and aided a young trumpeter who would later become famous as Dizzy Gillespie.

After playing in and directing an assortment of Cuban and jazz bands, Mario Bauza began to talk of creating a new sound by combining these two musical styles. In 1941 he gained an opportunity to advance his ideas when he became music and personnel director for the Machito Orchestra, a Cuban band headed by his brother-in-law and boyhood friend, Machito Grillo. Mario Bauza began by hiring jazz-oriented musicians to fill vacancies left by departing Cuban band members. After hearing two of these musicians improvising with the Cuban song "El Botellero" during a performance break one evening in May 1943, Mario Bauza decided to experiment further with the song during the band's rehearsal the following day. "Tanga," the fiery new work that he created, was the first Afro-Cuban jazz song.

Over the succeeding decades, working both in the Machito Orchestra and in a new band he formed with the Machito Orchestra's great female vocalist, Graciela, Mario Bauza continued to create and popularize the Afro-Cuban jazz sound. In addition to "Tanga," Mario Bauza composed such classics as "Cubop City," "Wild Jungle," "Kenya," "Imitations," and "Cubanola." His most recent recording, "My Time Is Now," was released just this month.

Mr. Speaker, the music Mario Bauza created has brought tremendous joy to people of

all backgrounds around the world, and has been a unifying source of pride for Hispanics throughout our Nation. I hope my colleagues will join me now in appreciation of Mario Bauza for the lasting gift of great music he gave to us and to the world.

INTRODUCTION OF LEGISLATION TO AMEND SUGAR PROGRAM PENALTIES

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. POMEROY. Mr. Speaker, last week I introduced legislation to clarify that the civil penalties under section 359(d)(3), as amended, of the Agricultural Adjustment Act of 1938 do not apply to inadvertent violations.

In my State, the Minn-Dak Farmers Cooperative faces a possible penalty of \$20 million because it inadvertently obligated itself to exceed its allocation imposed under the Secretary's recent announcement on marketing allotments. In Minn-Dak's case, the cooperative had pledged to the Commodity Credit Corporation, earlier in the day of the announcement, sugar as collateral that put it over its allocation by an estimated 14,857 thousand short tons raw value. Under a strict reading of the law, the CCC now says it must impose a civil penalty of three times the value of all sugar marketed.

Mr. Speaker, if allowed to stand, this penalty would devastate the members of the Minn-Dak Farmers Cooperative. We cannot allow that to happen. The bill I am introducing would simply make it clear that the penalty provisions of the law apply only to those who knowingly violate the law. I understand the bill has the support of both the Administration and the sugar industry. I urge the Congress to act quickly to correct this problem.

ASSESSING THE IMMEDIATE RISKS AT THE SUPERFUND SITES TO PRIORITIZE CLEANUP

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. GALLO. Mr. Speaker, today, I rise to re-introduce my legislation requiring the Federal Environmental Protection Agency to perform a comprehensive 1-year risk assessment of the Nation's 1,245 Superfund sites.

I have regularly toured the Superfund sites in my congressional district since I was elected to Congress in 1984, and I know from first-hand experience that some of these sites should be receiving more immediate attention than is currently being given to them while long-term cleanup engineering and design efforts are continuing.

My bill is aimed directly at the heart of this very real problem. The study required by my legislation will provide us with the information we need in order to set realistic priorities for cleanups that take into account the short-term,

as well as the long-term, risks to the public and the environment at each of the Nation's Superfund sites, thereby enabling us all to better understand the magnitude of the remaining risks at these sites.

There are Superfund sites out there that pose very real threats to the offsite environment, but these sites are not among those that have received early mitigation under Superfund.

When the Superfund was created in 1981, our major priority was to identify specific sites where potential threats could be identified.

In 1986, we reauthorized and expanded the Superfund program, because we had discovered that the problems were bigger and more complicated than we thought in 1981. The No. 1 priority in 1986 was to get cleanups moving at as many sites as possible.

The unintended side effect of that decision was to slow progress on the most serious sites, so that the number of sites completed would be increased.

I believe we must now take the third logical step in the Superfund process—we must recognize that a number of serious problems remain unsolved and that we need to set priorities for site cleanups, based on their potential for hazard to our health and environment.

I first developed this legislation in response to efforts by an organization known as Clean Sites, which brought the issue to the attention of Congress and the public in testimony before the House Public Works and Transportation Committee. Clean Sites is an Alexandria, VA, based not-for-profit organization founded by a consortium of environmental and industrial leaders, as well as senior Government officials, in 1984, to help solve the Nation's hazardous waste problem.

We need better information on risks to keep the Superfund program on track. I ask my colleagues to join me as cosponsors of this important legislation to restore confidence in this important program and keep the important cleanups moving forward.

THE PROGRESSIVE CAUCUS LET- TER ON THE BUDGET CON- FERENCE

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SANDERS. Mr. Speaker, a few days ago, 52 members of the House wrote to Representative DAN ROSTENKOWSKI, who chairs the Ways and Means Committee, and Representative MARTIN OLAV SABO, who chairs the Budget Committee. In this letter, originated by the House Progressive Caucus, we asked the House conferees on the budget reconciliation bill to stand firm in support of the children's initiative and empowerment zone provisions in the bill, and in favor of progressive tax alternatives. I would like to enter this important letter into the RECORD.

DEAR COLLEAGUES: As you begin the conference on the budget reconciliation bill, we are writing to express to you the absolute necessity of protecting those components of the bill which are based on tax fairness and

an effort to address some of the major, long-neglected social crises facing our nation. This is crucial in order to have a conference report that we can support.

The House version of the bill, while containing provisions that many of us disagreed with, was still a major step forward in implementing the President's proposals to invest in America and re-establish tax fairness. Its "children's initiative" provisions—on childhood immunization, family support and preservation, childhood hunger, and the Earned Income Tax Credit—as well as its funding for empowerment zones, are critical to protecting the most vulnerable members of our society. All of these were cut back or eliminated in the Senate. We strongly urge you to maintain the House position on these issues, which are of great importance to us.

Both the House and Senate versions of the bill have most of their tax increases falling on those who benefitted the most from the 1980s: the wealthy, whose incomes doubled while their share of the tax burden declined. However, important changes in other taxes were made by the Senate.

While we supported some of these changes, such as raising the thresholds for taxation of Social Security and reducing energy taxes, they do make it necessary to find alternative sources of revenue. It is crucial that these alternatives follow the principle of progressivity. In particular, we urge you to raise the top corporate and individual rates, rather than to accept cuts in Medicare, Medicaid, food stamps, and other programs for the elderly and the poor. We should also add that we believe that a new tax on consumers' utility bills would be extremely regressive, falling hardest on those least able to afford new taxes. We have enclosed an example of possible options that could be used to raise the necessary revenues. These types of approaches would guarantee that the principle of tax fairness is maintained.

We recognize that you will have a difficult task ahead of you. If you can craft a compromise which invests in our children and the most vulnerable members of our society, and maintains the principle of tax fairness, you will have our wholehearted support.

Sincerely,

Neil Abercrombie, Tom Andrews, Xavier Becerra, Lucien Blackwell, Sherrod Brown, Eva Clayton, James Clyburn, Barbara-Rose Collins, Cardiss Collins, Peter DeFazio, Ronald Dellums, Don Edwards, Anna Eshoo, Lane Evans, Eni Faleomavaega, Sam Farr, Bob Filner, Floyd Flake, Barney Frank, Elizabeth Furse, Luis Guterres, Tony Hall, Dan Hamburg, Maurice Hinchey, Eddie Bernice Johnson, Paul Kanjorski, Mike Kopetski.

John Lewis, Ed Markey, Matthew Martinez, Cynthia McKinney, Carrie Meek, George Miller, Kweisi Mfume, Patsy Mink, Jerrold Nadler, Eleanor Holmes Norton, John Olver, Major Owens, Ed Pastor, Donald Payne, Nancy Pelosi, Lucille Roybal-Allard, Bernard Sanders, Patricia Schroeder, José Serrano, Jolene Unsoeld, Nydia Velázquez, Craig Washington, Maxine Waters, Mel Watt, Lynn Woolsey.

EXAMPLES OF POSSIBLE PROGRESSIVE OPTIONS FOR BUDGET RECONCILIATION CONFERENCE

Revenue increases from Senate position:

Provision:	Revenues (billions)
1. Raise top individual rate an additional one percent	\$9.0
2. Return to original Clinton top corporate rate of 36 percent, instead of 35 percent	15.4

	Revenues (billions)
3. Lower threshold of 10 percent surtax from \$250,000 to \$200,000	6.0
4. No indexing of tax on luxury automobiles	1.0
Total revenues over Senate bill	31.4
Spending increases from Senate position	Cost

Provision:

1. Medicare cuts: Adopt House position	\$8.0
2. Adopt House position on Food Stamp expansion, Earned Income Tax Credit, Family Preservation, and Empowerment Zones	23.4
Total spending over Senate bill	31.4

By adopting provisions such as these, the Conference Committee would increase the proportion of taxes paid by the wealthiest Americans, making the tax provisions in the bill even more progressive, and restoring the investment proposals affecting middle- and low-income Americans. The conferees should also agree to the Senate's position with regard to the thresholds for the increased taxation of Social Security benefits."

IN HONOR OF THREE CUSTOMS OFFICERS AND ONE STATE LAW ENFORCEMENT OFFICER KILLED IN A NARCOTICS INVESTIGATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. RANGEL. Mr. Speaker, I would like to express my heartfelt condolences and deep sympathy to the families, loved ones, and co-workers of the four law enforcement officers killed in a helicopter accident on July 14 in Brunswick, GA. These men gave their lives in service to their country as they pursued a criminal investigation in southern Georgia.

Three of the men were employed by the U.S. Customs Service. They were Rick Talafous, Alan Klumpp, and David DeLoach. The fourth was Lee DeLoach, a special agent for the Georgia Bureau of Investigations. The men were in a helicopter which was part of Customs' drug smuggling interdiction airwing. The aircraft had been dispatched to search for suspect airstrips used for smuggling narcotics into the United States.

Having worked on the drug issue for many years, I know first hand of the dedication, commitment, and courage of customs enforcement personnel, as well as that of many State and local law enforcement agencies throughout the Nation. This tragic accident again demonstrates the risks and dangers faced by law enforcement personnel on the Federal, State, and local level, as they fight to keep our streets safe from crime and drugs. Our Nation owes them a debt of gratitude for their courageous and generous service.

To their families, friends, and colleagues, I can only say that we must ensure that their deaths not be in vain. We must continue to conduct with diligence the investigations of narcotics and other criminal organizations such as the one these men were pursuing. And we must remember with appreciation and

gratitude the great service and sacrifice made by these dedicated public servants.

IN SUPPORT OF THE SPACEPORT FINANCING ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SHAW. Mr. Speaker, today my Florida colleague JIM BACCHUS and I, along with a number of our other colleagues from around the country, are introducing legislation entitled the Spaceport Financing Act.

This legislation addresses an issue of extreme importance to this country's commercial space transportation industry—tax exempt status for spaceport facility bonds. Our proposal will enable the United States to develop the infrastructure necessary for a competitive commercial space launch industry. This industry includes not only the spaceports themselves and the providers of launch services, but also companies which manufacture and test launch vehicles and their components, as well as satellites and other payloads.

This legislation will simply clarify that spaceports are eligible for exempt facility and bond financing to the same extent as publicly-owned airports, docks, and wharves. This signal of Federal support is vital to the survival of the U.S. commercial space industry and our effort to maintain our competitiveness in the international marketplace.

Our Nation's newly created commercial space launch industry faces increasing government sponsored or subsidized competition from Europe, China, Japan, India, Australia, and the former Soviet Union. The U.S. share of this market is in serious decline.

Foreign competition is capturing and increasing share of the international space launch industry, in part because of the outdated condition or the unavailability of low cost U.S. facilities. With the help of this bill, and at an extremely low cost to the Federal Government, we can begin to rebuild our existing infrastructure as well as construct new launch and recovery facilities. To be state of the art in space requires state of the art financing on the ground.

I am also submitting with this statement, to be included as a part of the RECORD, a technical description of this legislation. I urge my colleagues in the House to join us in this important effort by cosponsoring this bill.

THE SPACEPORT FINANCING ACT

DESCRIPTION OF PRESENT LAW

Present law allows exempt facility bonds to be issued to finance certain transportation facilities, such as airports, docks and wharves, mass commuting facilities, high-speed intercity rail facilities, and storage of training facilities directly related to the foregoing. Except for high-speed intercity rail facilities, these facilities must be owned by a governmental unit to be eligible for such financing. Exempt facility bonds for airports and docks and wharves are not subject to the private activity bond volume cap. Only 25% of the exempt facility bonds for a high-speed intercity rail facility require private activity bond volume cap.

Airports.—Treasury Department regulations provide that airport property eligible for exempt facility bond financing includes facilities that are directly related and essential to servicing aircraft, enabling aircraft to take off and land, and transferring passengers or cargo to or from aircraft, but only if the facilities must be located at, or in close proximity to, the take-off and landing area to perform these functions. (See Treas. Reg. Sec. 1.103-8(e)(2)(i)(a).) The regulations also provide that airports include other functionally related and subordinate facilities at or adjacent to the airport, such as terminals, hangers, loading facilities, repair shops, maintenance or overhaul facilities, and land-based navigational aids such as radar installations. (See Treas. Reg. Sec. 1.103-8(e)(2)(i)(b).) Facilities the primary function of which is manufacturing rather than transportation are not eligible for exempt facility bond financing. (See IRC Sec. 142(c)(2)(E); see also Rev. Rul. 77-186, 1977-1, C.B. 22 (facility primarily used for constructing super-tankers); Rev. Rul. 77-324, 1977-2, C.B. 37 (facility primarily used by a manufacturer for customizing and structurally modifying new aircraft).)

Public Use Requirement.—Treasury Department regulations provide generally that, in order to qualify as an exempt facility, the facility must serve or be available on a regular basis for general public use, or be a part of a facility so used, as contrasted with similar types of facilities that are constructed for the exclusive use of a limited number of nongovernmental persons in their trades or businesses. (See Treas. Reg. Sec. 1.103-8(e)(2) & 1.103-8(e)(1).) For example, a private dock or wharf leased to and serving only a single manufacturing plant would not qualify as a facility for general public use, but a hanger or repair facility at a municipal airport, or a dock or a wharf, would qualify even if it is leased or permanently assigned to a single nongovernmental person provided that such person directly serves the general public, such as a common passenger carrier or freight carrier. Certain facilities, such as sewage and solid waste disposal facilities, are treated in all events as serving a general public use although they may be part of a nonpublic facility, such as a manufacturing facility used in the trade or business of a single manufacturer.

Federally Guaranteed Bonds.—Bonds directly or indirectly guaranteed by the United States (or any agency or instrumentality thereof) are not tax-exempt. (See IRC Sec. 149(b).) The Treasury Department has not issued regulations interpreting the prohibition of federal guarantees and the scope of the prohibition is unclear.

EXPLANATION OF PROPOSED AMENDMENT

The proposed amendment clarifies that spaceports are eligible for exempt facility bond financing to the same extent as airports. As in the case of airports, the facilities must be owned by a governmental unit to be eligible for such financing.

The term "spaceport" includes facilities directly related and essential to servicing spacecraft, enabling spacecraft to take off or land, and transferring passengers or space cargo to or from spacecraft, but only if the facilities must be located at, or in close proximity to, the launch site to perform these functions. Space cargo includes satellites, scientific experiments, and other property transported into space, whether or not the cargo will return from space. The term "spaceport" also includes other functionally related and subordinate facilities at or adjacent to the spaceport, such as launch

control centers, repair shops, maintenance or overhaul facilities, and rocket assembly facilities that must be located at or adjacent to the launch site. The term "spaceport" further includes storage facilities directly related to any governmentally-owned spaceport (including a spaceport owned by the U.S. Government).

It is intended that spaceports shall be treated in all events as serving the general public and will therefore satisfy the public use requirement contained in present Treasury Department regulations. It is also intended that the use of spaceport facilities by the federal government will not prevent the spaceport facilities from being treated as serving the general public, will not prevent the spaceport facilities from being treated as owned by a governmental unit, and will not otherwise render such facilities ineligible for exempt facility bond financing. In addition, the amendment specifies that payments by the federal government of rent, user fees, or other charges for the use of spaceport property will not be taken into account in determining whether bonds for spaceports are federally guaranteed as long as such payments are conditioned on the use of such property and are not payable unconditionally and in all events.

INTRODUCTION OF H.R. 2710, THE WAGE AND HOUR REFORM AND EQUITY ACT OF 1993

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. LANTOS. Mr. Speaker, on July 22, 1993, my colleague, Congressman CHRIS SHAYS, and I introduced H.R. 2710, the Wage and Hour Reform and Equity Act of 1993, to further protect employees' rights under the Fair Labor Standards Act [FLSA] of 1938.

During the 103d Congress the Government Operation's Subcommittee on Employment and Housing, which I chaired, conducted an investigation on the Food Lion supermarket chain in which we uncovered widespread violations of the FLSA. Food Lion workers appeared as witnesses at the subcommittee's investigative hearings and testified they were required to work as many as 30 hours of overtime a week without pay. The Department of Labor conceded it had experienced significant problems in enforcing many aspects of the FLSA. The Department also revealed that in the course of its nearly 2-year investigation of Food Lion, the Department had found substantial violations of overtime laws and child labor—including child labor in hazardous occupations—laws.

In the course of our investigation of Food Lion, we also found that in many cases the FLSA statute of limitations continues to run while the Labor Department investigates wage and hour complaints. As a result, bureaucratic delays can deprive an aggrieved employee of his or her rights and wages legally owed. Under current law, a worker can only recover back wages during the 2 years following the labor law violation, unless the employer agrees to waive this statute of limitations or unless the worker or the Labor Department files a lawsuit against the employer. If an em-

ployer does not agree to a waiver, the 2-year statute of limitations runs—and may run out—while the Labor Department investigates and attempts to resolve the employee's case. Thus, the longer it takes the Labor Department to investigate and try to resolve an employee's complaint, the smaller becomes the amount of back wages an aggrieved employee can collect. If the Labor Department takes longer than 2 years to investigate, the employee may lose all rights to recover back wages owed.

Mr. Speaker, this is no way to enforce our labor laws. An employee should not lose his or her right to be compensated for back wages while the Labor Department investigates his or her complaint. A worker's right to recover should not be subject to factors totally outside the employee's control; that is, whether or not the employer voluntarily agrees to a waiver of the statute of limitations, or bureaucratic delays in investigating complaints. And the Labor Department should not be negotiating with an employer to agree to waive the statute of limitations in order to preserve aggrieved employees' rights.

Our bill will strengthen worker's rights by causing the statute of limitations to stop running when an employee files an FLSA complaint with the Labor Department. This will make the FLSA complaint resolution process consistent with that of most other labor laws. Enactment of our bill will also free the Labor Department to conduct more expeditious investigation, settlement, and prosecution of labor law violation complaints. No longer will the Department need to use up precious time trying to persuade an employer, under investigation, to waive the statute of limitations. Clearly, our labor law dispute resolution process should not work to shortchange American workers of the legal protection and wages to which they are entitled. I urge my colleagues to join me in supporting this important legislation.

CITIZEN SOLDIERS IN TIME OF NEED

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. EVERETT. Mr. Speaker, America's heartland is suffering through a terrible disaster. Due to unprecedented flooding along the Mississippi River, many thousands have lost their homes and all of their possessions.

Such human tragedy pulls people together and serves to rekindle the true spirit of neighbor helping neighbor that has made this country great. It is also in trying times like as these that we realize the real worth of the Guard and Reserve. On the evening news, we have seen the images of these citizen soldiers standing shoulder to shoulder with whole towns laying sandbags, tirelessly staving off the raging, merciless waters.

In my congressional district in Alabama, the 1206th Water Purification Unit, the 1207th Tactical Water Distribution System Unit, and the 1209th Water Purification Unit from Wetumpka are providing desperately needed

water purification for four large hospitals in the Des Moines, IA, area. When these unit commanders called for volunteers to go to Iowa the response was so great that many guardsmen had to be turned away.

Mr. Speaker, it is incumbent upon us to remember the role and dedication of such fine men and women in uniform who rise to the occasion during the unforeseen national emergencies. They should make us all proud to be Americans.

UNITED STATES AND UNITED NATIONS SHOULD RETURN TO HUMANITARIAN MISSION IN SOMALIA

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. MAZZOLI. Mr. Speaker, I commend to the attention of my colleagues the following article from the Washington Post of July 22, 1993. The article reports the comments of Mr. Jan Eliasson, United Nations Undersecretary General for Humanitarian Affairs, that military operations in Somalia are now overshadowing the humanitarian mission which initially brought the United States and other nations of the United Nations to that troubled land last December.

Mr. Speaker, this article underscores my comments on the House floor last Tuesday, July 20, in which I said that United States military operations in Somalia need to be reconsidered, and at the very least, refocused back to their original mission of providing humanitarian assistance to the Somali people.

[From the Washington Post, July 23, 1993]

TOP U.N. RELIEF OFFICIAL WARNS SOMALIA OPERATIONS PUT AID AT RISK

GENEVA, July 21.—The top U.N. relief official warned today that military operations in Somalia risk overshadowing aid deliveries, and he complained that U.N. members are spending 10 times as much on the military effort as on aid.

The observations from Jan Eliasson, undersecretary general for humanitarian affairs, constitute a rare criticism of the U.N. operation by a high-ranking U.N. official.

They came at the height of a diplomatic row over the role of U.N. peace keepers in Somalia in which Italy has urged more emphasis on negotiations and less on military confrontation with fugitive Somali warlord Mohamed Farah Aideded.

Italy, with 2,400 soldiers on the ground, fields the third-largest contingent in the U.N. peace-keeping force.

It has complained of a lack of consultation by the United Nations and the United States with other countries that provide troops in the 20,850-man overall U.N. force and has urged a review of the Somalia mission's aims.

Eliasson, in a speech to the U.N. Economic and Social Council in Geneva, also seemed worried that the United Nations may be getting its priorities skewed.

He warned that the original aim of sending troops to Somalia—to protect aid—risks being forgotten in the eagerness to capture Aideded and crush his faction in the long-running civil war.

It is "essential that an equitable balance be maintained between political, military

and humanitarian elements" in the U.N. mission in Somalia, he said.

The United States has identified Aideed as a major obstacle to its plans for imposing U.N. authority and beginning stabilization in the Horn of Africa nation. Aideed also has been blamed by U.N. and U.S. officials for a June 5 ambush in which 24 Pakistani troops in the U.N. peace-keeping force were killed.

U.S. helicopters and ground troops assaulted Aideed's military headquarters compound in south Mogadishu on July 12 during a meeting of his top commanders, killing several of them.

According to retired U.S. Adm. Jonathan Howe, the chief U.N. official in Mogadishu, U.N. troops have tried and failed several times to capture the elusive militia leader.

Since the flareup in fighting, some non-governmental relief workers have complained to reporters that the streets of south Mogadishu, which is Aideed's stronghold, have become unsafe for Europeans and Americans, forcing a cutback in programs to provide food to the Somali people.

"While the recent fighting is confined to Mogadishu South, it has had the regrettable effect of making many relief workers relocate to Nairobi," Eliasson said.

"As a consequence, rehabilitation and relief activities have been reduced and disrupted, not only in Mogadishu but also in some other areas of the country."

Eliasson told officials in Geneva that, in any case, donor nations have given less than 15 percent of the \$166 million needed for relief and rehabilitation in Somalia this year.

"As a comparison, approximately \$1.5 billion will be spent on military operations in Somalia over a period of 12 months," Eliasson said.

"In other words, due to the security needs, the international community is spending \$10 on military protection for every dollar of voluntary humanitarian assistance in Somalia, even if the 1993 Relief and Rehabilitation Programs were to be fully funded."

Eliasson added: "Unless sufficient funds are provided for rehabilitation activities, there is a risk that the military operation can be perceived as an end in itself, rather than as a means of ensuring security for rehabilitating the country's infrastructure and forging reconciliation."

Eliasson's criticism is not the first by U.N. officials of the world body's Somalia operation. Last October, two months before U.S. Marines led the first U.N. peace keepers into Mogadishu, U.S. special envoy Mohammed Sahnoun was forced to resign after accusing the United Nations of having sat back and watched "Somalia descend into this hell."

TAX BILLS HOLDS GREAT PROMISE FOR REAL ESTATE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. MORAN. Mr. Speaker, as I mentioned earlier today, the following is an elaboration and clarification of why it is so important that the House-passed real estate provisions remain in the reconciliation bill.

TAX BILL HOLDS GREAT PROMISE FOR REAL ESTATE

(By Congressman James P. Moran)

Over the past two years the nation's total real estate wealth declined in value from \$13

trillion to \$12 trillion. This \$1 trillion loss has had a negative multiplier effect on our economy since real estate is used as collateral for most loans. When land and property values decline, banks are forced to call in loans or require more cash, forcing some businesses into bankruptcy and drying up credit for others. Nearly 75 percent of the revenues local governments use to finance schools, police and infrastructure come from real estate property taxes. Declining land and property values invariably mean cuts in vital public services.

REAL ESTATE VALUES

Since World War II, real estate has been a prime factor in the recovery from seven out of the past eight recessions. Today, as in the past, a healthy real estate industry is essential to the nation's economic recovery. Unlike previous recessions, however, the value of real estate, the average American's most important asset, is now caught in a declining spiral.

Unfortunately, the downward pressure on real estate values will continue as more than \$340 billion of construction-miniperm and bullet loans come due. Industry experts estimate that up to \$185 billion in commercial mortgages will need to be "repriced" before normal capital flows return to this market. This \$185 billion does not include more than \$70 billion in commercial REO already held by financial institutions and the federal government. If banks continue to show an aversion to making even good business and real estate loans, preferring to invest their depositors' money in safe government debt securities, the road to economy recovery will be very slow and painful. In their defense, banks were never in a sufficient position to refinance the more than \$400 billion in multi-family, commercial, construction and development loans they have already extended. Without replacement capital the market will continue to collapse.

Recognizing the need to stabilize real estate values and attract outside capital, I introduced, as one of my first major legislative proposals, a Sense of the Congress Resolution on the Credit Crunch. The resolution, which was enacted on December 19, 1991 as part of the Bank Reform bill, identifies legislative and regulatory changes necessary to arrest the credit crisis and help revive the economy. Specifically, the resolution calls for restoration of the passive loss provision for real estate, liberalization of pension fund investment rules, securitization of commercial loans, removal of the tax penalties for loan restructuring and elimination of "mark-to-market" liquidation-based appraisals.

I am pleased to report that Congress and the federal regulatory agencies have come a long way toward adopting many of the resolution's elements. Most significant of this progress are the real estate related provisions contained in the House passed revision of the Reconciliation Bill.

In addition to the enterprise zone provision, both House and Senate versions: extend a number of expiring tax provisions including the Low Income Housing Tax Credit, Mortgage Revenue Bonds, Mortgage Credit Certificates and small issue Industrial Development Bonds; modify the passive loss rules for real estate activities; and modernize rules for pension funds investment in real estate.

In addition, the Senate bill contains provisions removing the tax penalties for loan restructuring.

EXPIRING TAX PROVISIONS

An important factor driving the tax bill is the need to extend a series of popular tax in-

centives cited above that expired on July 1, 1992. These incentives range from tax credits for research and development to a 25 percent credit for small business health insurance premiums. Three of these tax provisions are of particular interest to the real estate industry. The Low Income Housing Tax Credit and the Qualified Mortgage Bonds and Mortgage Credits (or Mortgage Revenue Bonds) provide tax incentives that encourage investment in new and renovated low and moderate income housing. Last year, state and local housing authorities used the mortgage revenue bonds to finance more than \$8 billion in mortgages for 89,000 homes. In addition, the Low Income Housing Tax Credit helped encourage new construction or rehabilitation of 101,000 housing units.

The Industrial Development Bonds are private activity bonds issued by state and local governments to finance manufacturing facilities and equipment and land improvements. Under the House-passed bill, all three provisions would be made permanent.

PASSIVE LOSS

Perhaps of greatest significance for the owners, investors and local governments, who are affected by declining real estate values, is the fact that both bills reject the passive loss rules that were established as part of the 1986 Tax Reform Act. Since 1986, losses that result from passive business activities such as real estate transactions cannot be deducted against other income.

Beginning in 1981, the federal government began to distort the dynamics of the real estate market place. The Economic Recovery Act of 1981 provided powerful incentives for significant new real estate investment, while the federal deregulation of the thrift industry in 1982 flooded the market with massive amounts of unregulated capital. Then, federal tax policy reversed course with the enactment of the Tax Reform Act of 1986. Congress did the right thing by eliminating the real estate tax shelters that were created in the 1981 Act. Unfortunately, a number of provisions, including passive loss restrictions for real estate, that were added in the Senate, went too far. As a result of these changes there was a dramatic decrease in foreign investment, and an aversion in this country to placing capital even in worthwhile real estate investments.

Under the House bill, qualifying individuals, i.e., those who spend more than 50 percent of their work time in real estate related activities, would have their losses deducted against real estate related income only.

I strongly supported the House provision, which is more favorable, but either provision is a step in the right direction. Both will help encourage additional sources of credit and capital by making the properties more attractive for long term investment. This will help to stabilize real estate values.

PENSION FUND CHANGES

Another source of long term capital for real estate is pension funds, which hold close to \$2 trillion in assets. Given their long term investment horizons, pensions can weather the cyclical changes in the real estate market and are a logical investment source. Both the House and Senate bills recognize the stabilizing influence pension funds can provide and seek to remove several major obstacles that penalized domestic pension funds from investing in real estate. Today, for example, domestic pension funds are considered as a single individual under the rule that five or fewer investors cannot own more than 50 percent of a Real Estate Investment Trusts (REITs) (the 5/50 rule); whereas foreign funds can consider their contributors as

an individual and thus are not restricted by the 5/50 rule. Pension funds must also comply with very cumbersome Unrelated Business Income Tax (UBIT) restrictions to ensure that income from debt-financed real estate is tax-exempt.

Both tax bills level the playing field and treat U.S. and foreign pension funds in a similar manner. REITs offer great promise as a way to securitize commercial loans. Efforts to facilitate pension fund investment in REITs and remove the UBIT liabilities will bring much needed capital back into real estate while offering investors greater liquidity.

To finance the passive loss and pension fund changes, both bills extend the depreciable life on non-residential structures (including leasehold improvements) from the current 31.5 year period to 38 or 39 years. While I have some concerns about this provision, it is necessary given our current budget deficit problems.

LOAN RESTRUCTURING

The bill also includes three additional provisions of interest to the real estate industry. One noteworthy provision helps remove the severe tax penalties that affect loan restructuring and cancellation of indebtedness. Under current law cancellation of indebtedness (COD) is treated as taxable income. The tax consequences associated with COD can lead to significant tax liability forcing borrowers to liquidate properties they otherwise would not sell and sometimes forces developers to return the properties to their lenders. The bill would enable individuals to defer COD as income by reducing the tax basis of the property by the amount of the COD. This deferment would be permitted as long as the debt is incurred in connection with real estate used in a business and the debt is secured by real estate.

The tax changes incorporated into both the House and Senate bill will help stabilize real estate values and revive the economy. They do not create any "tax shelters" but restore the balance real estate was denied in the 1986 Tax Reform Act by encouraging long term investment into our nation's largest and most important asset.

TRIBUTE TO THE MINISTRY TO THE SICK AND AGED

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. COSTELLO. Mr. Speaker, this month commemorates the 20th anniversary of the Ministry to the Sick and Aged, part of the Catholic Diocese of Belleville, IL.

Since its beginning, the Ministry to Sick and Aged has focused on the spiritual needs of its aging brothers and sisters. This important ministry has well served its aging congregation, and its committed team of volunteers continues to sacrifice to serve the aged and infirmed.

At this time, I would like to offer my strong congratulations to the Ministry to the Sick and Aged for its fine work done in the diocese. Their 20th anniversary celebration will begin on September 15, and I want to extend my best wishes to the Ministry to the Sick and Aged for their volunteer efforts to many of my constituents.

MORE GOOD NEWS FOR WOMEN IN THE MILITARY

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mrs. SCHROEDER. Mr. Speaker, women have been an integral part of our military since the Revolutionary War. Two centuries ago, their role was often behind the scenes. Today, in 1993, women are front and center in active duty positions throughout the military, nobly applying their skills and talents to our country's defense.

Nevertheless, the military is very inconsistent when it comes to the unique health care needs of women. For instance, it is sometimes difficult for active duty women to get complete gynecological exams or comprehensive pregnancy services. Dependents may find themselves competing with active duty women for basic gender-specific health care services. Furthermore, women retirees may also confront obstacles in securing gender-specific care. This is especially ironic considering many women began their military careers as health care workers.

Today, MARILYN LLOYD, ELIZABETH FURSE, JANE HARMAN, and I are introducing the Defense Women's Health Improvement Act of 1993. This legislation provides desperately needed primary and preventive health services to women in active duty, women dependents, and women retirees. It also creates The Defense Women's Health Research Center to conduct ground breaking women's health research using state-of-the-art technology developed by the Army. Finally, our legislation establishes a Women's Health Curriculum Advisory Board and the Uniformed Services University of the Health Sciences in Bethesda, MD.

The bill gives women in the military the gender-specific health services they deserve. It will also help us identify and research health problems specifically displayed by women in the military. In short, The Defense Women's Health Improvement Act is good news for all women in the military—no matter when they served, or where they were stationed.

GEORGE AUGUSTINE BROWN, SR. "A CENTENNIAL CELEBRATION"

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. MFUME. Mr. Speaker, few achievements in one's life are as beautiful and as spectacular as a centennial birthday celebration. The joy of living and the relevant history are something to behold for those so blessed with long life and good health.

Saturday July 24, 1993, marked the 100th birthday of Mr. George Augustine Brown, Sr. Mr. Brown was born in Baltimore and has lived there continuously for this time.

In 1911, he began working as a chauffeur for the Sommers family of the historic Guildford section of Baltimore City. After 13

years of dedicated service, Mr. Brown was offered employment as a substitute mail carrier and parcel postman for the U.S. Postal Service.

Mr. Brown collected letters and delivered parcel packages by horse drawn carriage for a full year before being promoted to a full-time parcel postman using a motorized vehicle. He worked from 1924 until his retirement in 1958, at the Waverly Postal Station.

Since retiring 34 years ago, he has enjoyed his time with his family, which is 90 persons strong. This includes 10 children, 30 grandchildren, 43 great-grandchildren, and 7 great-great-grandchildren.

Mr. Brown lives in his own home with one of his daughters, in what is affectionately known as "Brown's Row" in west Baltimore. He is surrounded on all sides by homes belonging to his other children.

The Book of Psalms, book one, chapter 1 reads:

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

But his delight is in the law of the Lord; and in his law doth he meditate day and night. And shall he be like a tree planted by the rivers and waters, that bringeth forth his fruit in his season; his leaf also shall not wither, and whatsoever he doeth shall prosper.

George Augustine Brown, Sr. has truly walked in the light of the Lord through good, honest living. He serves as an example for all who know him and demonstrates that life's travails as well as its achievements should be enjoyable and everlasting.

It is indeed an honor for me to have the opportunity to praise his tribute to him in the well of the House of Representatives.

Mr. Brown, I bid you a happy 100th birthday and wish you many, many more. May God continue to bless you with good health and a sincere caring extended family.

INTRODUCTION OF THE AGRICULTURAL ENVIRONMENTAL TAX CREDIT ACT

HON. BILL K. BREWSTER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. BREWSTER. Mr. Speaker, agriculture is arguably the most critical component of our economy. Without the farmer and agribusiness, no agricultural commodity gets grown, processed, bought, sold, exported, or even consumed. I believe it is important to keep this in mind as Federal, State, and local governments expand regulation in the environmental arena. It is critical that we provide the agricultural sector, which represents 16 percent of our gross national product, with adequate tools to address new environmental challenges.

Farmers and agriculture-related businesses with serious economic problems already, need financial assistance to build an infrastructure to meet current and proposed water and air quality regulations designed to improve the environmental health of rural areas. Therefore,

with my colleague Mr. GRANDY, I am introducing the Agricultural Environmental Tax Credit Act, which creates a new environmental tax credit that is specific to agriculture and limited to situations where a farmer or agribusiness must comply with Government-imposed environmental requirements.

This tax measure will assist livestock and crop producers, together with agribusiness, to purchase environmental control equipment and in the construction of manure handling systems, terraces, filter strips, constructed wetlands, and other agricultural systems that will protect the environment. The construction and operation of these physical structures and equipment will not only help ensure attainment of our Nation's soil, water, and air quality objectives, but give rural America a much needed economic boost.

Specifically, this bill would provide a 15-percent agricultural environmental credit on machinery, equipment, and structures purchased primarily for the purpose of complying with Federal, State, and local environmental laws. With the Clean Water Act soon to be reauthorized, and more Federal environmental legislation in the offing, my bill will provide significant financial relief to those agricultural producers facing major capital expenditures to comply with Government-mandated environmental regulations.

If enacted, this bill will be an important first step in revitalizing our rural infrastructure and communities. Increasing economic and regulatory demands from Government on our farms and rural small businesses have forced the closing of thousands of once thriving family-owned enterprises. Empty stores and boarded up windows are all too common sights in rural America today. An agricultural tax credit is just the sort of ammunition that needs passed to fight off these increasing financial burdens.

Few issues before this Congress are as important as helping our rural infrastructure and economies. Therefore, I strongly urge passage of this bill to aid rural businesses, farmers, and families with environmental challenges.

FBI CHIEF'S PROUD DEPARTURE LEAVES CAUSE FOR GRATITUDE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. BEREUTER. Mr. Speaker, this Member highly commends to his colleagues the following editorial from the July 21, 1993, edition of the Omaha World-Herald.

[From the Omaha World-Herald, July 21, 1993]

FBI CHIEF'S PROUD DEPARTURE LEAVES CAUSE FOR GRATITUDE

William Sessions made his final exit from the FBI headquarters with head held high. He was entitled to, even though President Clinton had just fired him. The FBI logged significant accomplishments during the five years Sessions spent in J. Edgar Hoover's old position.

Sessions led the bureau in providing more opportunities for women, African-American and Hispanic agents to advance. He improved

cooperation with city and state law enforcement agencies. He established a relationship of mutual respect with Coretta Scott King and other civil rights leaders. They had been furious over Hoover's outrageous campaign of harassment and surveillance against Mrs. King's late husband, the Rev. Martin Luther King Jr.

Under Sessions, the FBI overhauled its fingerprint files, started using DNA testing to identify suspects and increased its emphasis on fighting violent crime. In recent days, the bureau has played a leading role in cracking the World Trade Center bombing case and breaking up terrorist organizations in New York and California.

Rep. Don Edwards, D-Calif., has called Sessions the best director the FBI ever had. Edwards, a former FBI agent, heads a congressional subcommittee that oversees FBI issues.

Are we saying that Clinton and Attorney General Janet Reno were wrong to fire Sessions? Not necessarily.

A whispering campaign to oust the director began while George Bush was still president and has continued ever since, bringing turmoil to the upper management ranks of the bureau. Last year, more than 100 agents gave sworn statements to Justice Department investigators. The statements went into a report accusing Sessions and his wife of making personal trips in government vehicles and airplanes, billing the government for a fence at their residence and refusing to turn over records that might have shed light on irregularities in their home mortgage.

The report was waiting for Clinton when he took office in January.

Sessions' alleged improprieties, as we noted last year, wouldn't have constituted a gross abuse of power even if all allegations were true. But perception all too often becomes reality. Sessions admitted that attacks on his judgment have compromised his effectiveness.

Clinton and Ms. Reno may have felt they had no choice but to start fresh with a new director, Louis Freeh.

But Sessions performed one last commendable service to his bureau. He insisted that he wouldn't leave office unless Clinton fired him. That accomplished two things:

It denied his accusers the validation they might have claimed if he had been forced to submit a quiet, seemingly embarrassed resignation.

It also allowed him to call attention to the danger of politicizing the bureau. Referring to the FBI, Sessions said: "I will speak out in the strongest terms about protecting it from being manipulated and politicized both from the inside and out."

That potential isn't something Sessions dreamed up. Clinton's people have already attempted to use the FBI to cover the political firings of Travelgate. At this time, the public can't be too vigilant. It's good to know that Sessions will be watching, too.

MAE MCHUGH HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a remarkable woman and my good friend, Mrs. Mae McHugh. On July 30, 1993, Mae's friends, family, and colleagues will gather to honor her as the Pennsylvania

Labor Alliance, District Three, "Woman of the Year."

Mae, the daughter of the late James and Margaret Coyne, was born in Dupont and raised in Pittston Township. A graduate of Pittston Township High School, Mae began her career in the garment industry at age 14 at Wyoming Frocks, a position she retained for 27 years. Upon retiring from the garment industry, Mae accepted a position with State Senator Raphael Musto as a legislative aide specializing in senior citizens affairs. Currently, Mae serves on the executive council of the Department of Aging.

An active and vibrant community leader, Mae has dedicated her life to the International Ladies Garment Workers Union. As State president of Elective Council of Retirees of the ILGWU, Mae has strived to improve working conditions for all members. Mae also serves on the advisory board of the Pennsylvania Gas and Water Co., and has headed political committees on the local, State, and Federal levels.

A tireless and dedicated worker, Mae was the first recipient of the Silver Needle Award. This award is presented to an individual who has contributed greatly to the well-being of their fellow man as well as the ILGWU. As president of ILGWU Retirees, better known as "Mae's Raiders," she serves retirees all across the Commonwealth of Pennsylvania.

Mae's large family, including her son, James, and two grandchildren are extremely proud of her. I, too, am proud to count myself among Mae's many friends who admire and respect her and her many achievements.

RESOLUTION TO HONOR VICTIMS OF COMMUNISM

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. ROHRABACHER. Mr. Speaker, I am introducing, along with Mr. TORRICELLI, a resolution to honor the victims of communism. This privately funded undertaking will be overseen by the National Captive Nations Committee and promises to be a worthy memorial to the millions who have lost their lives to Communist tyranny.

Since 1917, international communism, led by Vladimir Y. Lenin, Joseph Stalin, Mao Tse-tung, and others of their ilk, have been responsible for deaths of over 100 million victims through imperialist conquests, revolutions, civil wars, purges, mass starvation, wars by proxy, and other violent means.

Communist regimes have suppressed the human rights, national independence, religious liberty, intellectual freedom, and cultural life of the peoples of over 40 nations.

There is a danger that the heroic sacrifices of the victims of communism may be forgotten as international communism and its imperial bases continue to collapse.

Mr. Speaker, the memorial will be constructed without any Government money. It is fitting that the memorial be constructed here in Washington. This is not only the Capital of the United States, but it is also the capital of the

free world. It was here in Washington where much of the cold war against communism was fought, and it is here where the sacrifice of the victims should be remembered.

**IN SUPPORT OF THE GEPHARDT
RESOLUTION DISCLOSURE OF
HOUSE POST OFFICE RECORDS**

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mrs. LLOYD. Mr. Speaker, I rise in support of the Gephardt resolution and in opposition to the Michel resolution.

My colleagues, we have a difficult and distressing situation before us. It is one that reflects upon each and every one of us without regard to party. The decision is do we conduct ourselves within the boundaries of the law and cooperate with the U.S. attorney, or do we heed the calls of an angry minority who seek political capital over justice.

To allow short-term political gain to overrule the law as we know it is unacceptable. The situation with regard to the House post office is abhorrent. But rather than extract false salvation from immediate disclosure and risk jeopardizing the Department of Justice investigation, let justice take its course and the guilty be brought to trial.

The documentation in question will be released. Every Member of the House wants to ensure that the facts are known, but not at the expense of the current Department of Justice investigation.

The House has been given legal advice by the U.S. attorney conducting the investigation. Mr. Johnson has asked us to prevent premature disclosure for fear that it may hinder or disrupt his efforts to indict and convict the guilty.

The Republicans have chosen to make a bad situation even worse by impeding the investigation of the U.S. attorney. They want to disregard his sound legal advice in favor of blame laying and partisanship, when both sides agree that the guilty should be punished.

The investigation into the post office will continue regardless of the outcome of today's votes. The question is do we want to see this situation addressed properly and expeditiously and within the parameters of the law, or do we take the easy, political way out and risk our chances of getting a thorough investigation. I would suggest the former.

**DISAGREEMENT WITH CLINTON
ADMINISTRATION**

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SMITH of Texas. Mr. Speaker, my colleagues are aware that I frequently disagree with the Clinton administration. As ideological opposites, we were destined from the moment he moved into the White House to have different perspectives on national issues.

EXTENSIONS OF REMARKS

But it is important to note that there are also a number of significant issues on which we agree. Back in January, I was excited about the plans the President-elect had laid out in his campaign for the line-item veto, crime prevention, and reforms in education and welfare.

Unfortunately, these campaign promises have gone the way of so many of those that I disagreed with in the first place. Six months into his first Presidential year, Mr. Clinton continues to regularly break or abandon the campaign pledges on which he was elected—even the good ones.

A few examples:

LINE-ITEM VETO

This desperately needed element of fiscal discipline, specifically endorsed by Mr. Clinton during his campaign, would dramatically increase Presidential power to cut Federal spending. Wielding his power of veto over congressional bills, the President would be able to stop cold much wasteful pork-barrel legislation. Only a two-thirds majority vote in both the Senate and the House could overturn such a veto.

Once in office, however, Mr. Clinton ran straight into overwhelming resistance from the Democratic congressional leadership, and settled for supporting an Expedited Rescissions Act, that would only allow the President to list the things he does not like about the bills he must sign. This essentially toothless provision will have virtually no effect on the millions of tax dollars spent on pork-barrel projects every year.

CRIME

I applauded the promises of candidate Clinton on crime prevention, especially the ones to add 100,000 more police to the Nation's streets and establish boot camps for first-time nonviolent offenders. After 6 months in office, however, the Clinton administration has not yet produced a viable crime bill. Rather, President Clinton has stymied prisons and crime prevention with \$331 million in budget cuts, virtually eliminating the chances of hiring more police or launching a successful boot camp program anytime soon.

EDUCATION

Reform in our education system should be a top priority to this administration, especially for a President who put so much stock in the country's youth during his campaign. While change is needed and Mr. Clinton's proposed Head Start plan certainly holds promise, I am disheartened by the administration's lack of vocal support for even a limited school choice program.

President Clinton's attempts to improve education by implementing new national standards and exams, however, are encouraging moves, as long as they are mandatory. They may not be cure-alls, but they exemplify a solid middle ground where policymakers from both sides can meet effectively.

WELFARE REFORM

During the 1992 campaign, this was an issue on which Mr. Clinton stood especially firm. He promised to "end welfare as we know it" by limiting welfare payments to 2 years and implementing new job training/placement services for those who are able to work. Also included on this agenda were health and child care benefits, as well as tax and welfare poli-

cies that would make work more attractive than the public dole. Unfortunately, we're still waiting for word from the White House on this promise as well.

A stronger administration response to these issues could remedy Mr. Clinton's record-low approval rating and rally the support of the American people.

**TRIBUTE TO MATTHEW S.
SHAPIRO**

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. WELDON. Mr. Speaker, I rise today to congratulate Matthew S. Shapiro of Phoenixville, PA, for being elected as the 74th national president of the U.S. Junior Chamber of Commerce, the Jaycees. Matt Shapiro is a strong leader who has been a 12-year member of the Jaycees, and has demonstrated his commitment to leadership on the local, State, and national levels of the Junior Chamber. I am proud to say that he is a constituent of mine.

As 1987-88 president of the Phoenixville, PA, Jaycees, Mr. Shapiro led his chapter to its first No. 1 finish in its 40-year history. Shapiro went on to serve as district director, regional director, program manager, and management development vice president.

In 1991, Matthew Shapiro was elected Pennsylvania's 55th Jaycees president. With Mr. Shapiro's leadership, the Pennsylvania chapter was consistently recognized as the No. 1 growth State, and finished as the No. 2 growth State overall.

Mr. Shapiro has been elected to lead an organization that has consistently produced great leaders in all fields of business. The junior chamber is a non-profit corporation that was organized to promote educational and charitable growth as well as to develop friendship and understanding among young persons of all nations. The Jaycees have succeeded magnificently in fulfilling this charter. The junior chamber was founded in 1915, and since then has grown to approximately 4,300 chapters with some 200,000 members nationwide.

Matthew S. Shapiro majored in accounting and finance at Drexel University in Philadelphia. Shapiro left a 10-year career in finance to run a specialty advertising business he owns with his wife. Mr. Shapiro has been a leader in the community and in the Jaycees, and I can say with confidence that the U.S. Junior Chamber of Commerce has chosen its president wisely.

SUPPORT BAHAIS IN IRAN

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. PORTER. Mr. Speaker, on Wednesday, July 21, I introduced the Baha'i community emancipation resolution which has 42 original cosponsors, including my distinguished

cochair of the congressional human rights caucus, TOM LANTOS. This resolution, which condemns Iran's ongoing repression of its Baha'i community, represents an important appeal for religious liberty in Iran. I urge my colleagues to join me in support of this resolution. I am inserting into the RECORD a copy of the resolution and other materials which demonstrate the urgency of congressional action on this important human rights issue.

H. CON. RES. —

Whereas in 1982, 1984, 1988, 1990, and 1992, the Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i Faith, Iran's largest religious minority;

Whereas in such resolutions and in numerous other appeals, the Congress condemned the Government of Iran's religious persecution of the Baha'i community, including the execution of more than 200 Baha'is, the imprisonment of additional thousands, and other repressive and discriminatory actions against Baha'is based solely upon their religious beliefs;

Whereas in 1992, the Government of Iran summarily executed a leading member of the Baha'i community, arrested and imprisoned several other Baha'is, condemned two Baha'i prisoners to death on account of their religion, and confiscated individual Baha'is' homes and personal properties in several cities;

Whereas the Government of Iran continues to deny the Baha'i community the right to organize, to elect its leaders, to hold community property for worship or assembly, to operate religious schools and to conduct other normal religious community activities, and

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a formerly confidential Iranian government document that constitutes a blueprint for the destruction of the Baha'i community and reveals that these repressive actions are the result of a deliberate policy designed and approved by the highest officials of the Government of Iran: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) continues to hold the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i community, in a manner consistent with Iran's obligations under the Universal Declaration of Human Rights and other international agreements guaranteeing the civil and political rights of its citizens;

(2) condemns the repressive anti-Baha'i policy adopted by the Government of Iran, as set forth in a confidential official document which explicitly states that Baha'is shall be denied access to education and employment, and that the government's policy is to deal with Baha'is "in such a way that their progress and development are blocked";

(3) expresses concern that individual Baha'is continue to suffer from severely repressive and discriminatory government actions, solely on account of their religion, and that the Baha'i community continues to be denied legal recognition and the basic rights to organize, elect its leaders, educate its youth, and conduct the normal activities of a law-abiding religious community;

(4) urges the Government of Iran to extend to the Baha'i community the rights guaranteed by the Universal Declaration of Human Rights and the international covenants of human rights, including the freedom of thought, conscience, and religion, and equal protection of the law; and

(5) calls upon the President to continue—

(A) to emphasize that the United States regards the human rights practices of the Government of Iran, particularly its treatment of the Baha'i community and other religious minorities, as a significant factor in the development of the United States Government's relations with the Government of Iran;

(B) to urge the Government of Iran to emancipate the Baha'i community by granting those rights guaranteed by the Universal Declaration of Human Rights and the international covenants on human rights; and

(C) to encourage other governments to continue to appeal to the Government of Iran, and to cooperate with other governments and international organizations, including the United Nations and its agencies, in efforts to protect the religious rights of the Baha'is and other minorities through joint appeals to the Government of Iran and through other appropriate actions.

In the Name of God!

THE ISLAMIC REPUBLIC OF IRAN, THE SUPREME REVOLUTIONARY CULTURAL COUNCIL

Number: 132.

Date: 6/12/69 [25 February 1991].

Enclosure: None.

CONFIDENTIAL

From: Dr. Seyyed Mohammed Golpaygani, Secretary of the Supreme Revolutionary Council.

To: Head of the Office of Esteemed Leader, Khamenei.

Greetings: After greetings, with reference to the letter #1/783 dated 10/10/69 [31 December 1990], concerning the instructions of the Esteemed Leader which had been conveyed to the Respected President regarding the Baha'i question, we inform you that, since the respected President and the Head of the Supreme Revolutionary Cultural Council had referred this question to this Council for consideration and study, it was placed on the Council's agenda of session #128 and 16/11/69 [5 February 1991], and session #119 of 2/11/69 [22 January 1991]. In addition to the above, and further to the [results of the] discussions held in this regard in session #112 of 2/5/66 [24 July 1987] presided over by the Esteemed Leader (head and member of the Supreme Council), the recent views and directives given by the Esteemed Leader regarding the Baha'i question were conveyed to the Supreme Council. In consideration of the contents of the Constitution of the Islamic Republic of Iran, as well as the religious and civil laws and general policies of the country, these matters were carefully studied and decisions pronounced.

In arriving at the decisions and proposing reasonable ways to deal with the above question, due consideration was given to the wishes of the Esteemed Leadership of the Islamic Republic of Iran [Khamenei], namely, that "in this regard a specific policy should be devised in such a way that everyone will understand what should or should not be done." Consequently, the following proposals and recommendations resulted from these discussions.

The respected President of the Islamic Republic of Iran [Rafsanjani], as well as the Head of the Supreme Revolutionary Cultural Council, while approving these recommendations, instructed us to convey them to the Esteemed Leader [Khamenei] so that appropriate action may be taken according to his guidance.

SUMMARY OF THE RESULTS OF THE DISCUSSIONS AND RECOMMENDATIONS

A. General status of the Baha'is within the country's system

1. They will not be expelled from the country without reason.

2. They will not be arrested, imprisoned, or penalized without reason.

3. The Government's dealings with them must be in such a way that their progress and development are blocked.

B. Educational and cultural status

1. They can be enrolled in schools provided they have not identified themselves as Baha'is.

2. Preferably, they should be enrolled in schools which have a strong and imposing religious ideology.

3. They must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Baha'is.

4. Their political (espionage) activities must be dealt with according to appropriate Government laws and policies, and their religious and propaganda activities should be answered by giving them religious and cultural responses, as well as propaganda.

5. Propaganda institutions (such as the Islamic Propaganda Organization) must establish an independent section to deal with the propaganda and religious activities of the Baha'is.

6. A plan must be devised to confront and destroy their cultural roots outside the country.

C. Legal and social status

1. Permit them a modest livelihood as is available to the general population.

2. To the extent that it does not encourage them to be Baha'is, it is permissible to provide for them the means for ordinary living in accordance with the general rights given to every Iranian citizen, such as ration booklets, passports, burial certificates, work permits, etc.

3. Deny them employment if they identify themselves as Baha'is.

4. Deny them any position of influence, such as in the educational sector, etc.

Wishing you divine confirmations,
DR. SEYYED MOHAMMAD GOLPAYGANI,
Secretary of the Supreme Revolutionary Cultural Council.

[Note in the handwriting of Mr. Khamenei.]

In the Name of God!

The decision of the Supreme Revolutionary Cultural Council seems sufficient. I thank you gentlemen for your attention and efforts.

ALI KHAMENEI.

[From the New York Times, July 8, 1993]

IRAN STOOPS TO GRAVE-ROBBING

After the election of President Hashemi Rafsanjani, a supposed harbinger of moderation, the world hoped for better from Iran. But the morality police still stalk the streets, jailing men for wearing T-shirts and women for wearing sunglasses. Even more upsetting is the recent bulldozing of grave sites and uprooting of bodies from a Bahai cemetery in Teheran, ostensibly to make way for a cultural center.

This officially sanctioned grave-robbing follows years of persecution of an estimated 300,000 Iranian Bahais, whose faith the mullahs treat with spite, since it is viewed as a heretical offshoot of Islam. Bahais were singled out for oppression in a secret 1991 order calling for their dismissal from jobs and universities. When the order became known this year, it was rightly condemned by the Clinton Administration and in U.N. debates.

With the death warrant on the novelist Salman Rushdie, the mullahs of Iran made

plain their contempt for Western traditions of tolerance. True, those traditions are fragile. Islamic peoples have been persecuted in Germany and the Balkans. And in America, virtually every minority has been the target of hate crimes.

But there's a big difference between state-sponsored persecution and gutter bigotry. Reverence for the dead reaches across all cultures and religions. A regime that stoops to body-snatching can hardly reach lower.

[From the Houston Post, July 10, 1993]

RELIGIOUS PERSECUTION—IN IRAN, NON-POLITICAL BAHAI'S ARE SEEN AS HERETICS TO ISLAM

(By Steve Brunsmann)

Farah Khamisi Robinson still breaks down and cries when she describes the day a decade ago when her 55-year-old brother in Iran became a modern faith martyr.

"I couldn't believe it. When he was first captured, I was hoping he would not be tortured. I prayed for that," sobbed Robinson, of Houston.

Kamran Samimi, her brother was tortured, killed and later buried in an unmarked grave, she said.

His crime? According to Robinson and other Houston Bahais, Samimi refused to recant the gentle, non-political Bahai faith that emphasizes the unity of world religions, races and nations. Iran at the time had about 300,000 Bahais.

Today, as Iran's political leadership bids to be re-admitted into the world economy and international community, Bahais are speaking up again. Following a dozen years of radical Islamic rule, Iran's human-rights record has become key to the end of its isolation.

The leaders of the world's seven wealthiest nations, meeting in Japan this week, were expected to discuss whether to condemn Iran for its alleged support of terrorism, weapons-building programs and human rights abuses, among other political issues.

Shiite Muslims account for about 95 percent of Iran's 15 million people. The nation's radical clerics view Bahais as heretics to Islam.

As a secretary in the nine-member Bahai national spiritual assembly of Iran, Samimi was among 200 Bahais killed under the Ayatollah Khomeini's regime following Iran's 1979 revolution. Hundreds of Bahais were imprisoned and tortured during the brutal period. Tens of thousands more fled or were forced into exile.

"His life and death are not in vain. The Bahai faith will grow," Robinson said of her brother. "But people in the West need to know what goes on—that people who weren't involved in politics died for their faith."

Iran's leaders contend that the nation's repressive years have ended. Bahai officials counter with accusations that Iran's human rights record is dismal. According to documents obtained recently by United Nations special envoy Reynaldo Galindo Pohl, Bahai persecution continues in Iran today.

The documents revealed that on Feb. 25, 1991, Iran's Supreme Revolutionary Cultural Council adopted a code under which Bahais would not be imprisoned or arrested "without reason" but also denied them employment and school access based on faith profession. The code was signed by Ali Khamenei, new spiritual leader in Iran.

Last week, U.S. Bahai officials said Tehran officials had destroyed graves and removed bodies from the city's Bahai cemetery, part of a planned effort to "destroy the Bahai community and its cultural roots, in the country in which the faith emerged." American faith spokesmen said.

Bahais have been persecuted in Iran since the religion was founded in 1844 in the Middle East nation. About 100,000 Bahais now live in the United States. As pacifists, they also shun political involvement.

"Instead of killing the Bahais, they don't give them jobs and the schools are closed to them. This is what one historian calls 'cultural suicide' for the Bahais in Iran," said Houston Bahai spokesman Ajit Giani. "If persecution has changed, it has only moved underground."

As might be expected, the martyrdom of Bahais during Iran's revolution has only strengthened the beliefs and determination of Bahais living outside Iran today. Houston has about 800 Bahais, including several who lost family during the early 1960s in revolutionary Iran.

"I have a pride and joy in the sacrifice my husband has made. If there is anything in life to be proud of, it is our beliefs," said Forough Haghepykar of her martyred husband, Badiullah, a Bahai leader who was killed May 8, 1982, following a 10-month imprisonment.

His father never renounced his faith although it was widely understood that to do so meant immediate release from Tehran's notorious Evin Prison, said his son, Kayvan Haghepykar, 34, also of Houston. Kayvan re-examined his own beliefs and values after his father was killed. "I am a stronger person," he said.

Iran's revolutionary guard shot to death Shiva Tirandaz's sister, Shidroukh Amir Kia, in 1982 after she declined to recant the Bahai faith. The mother of three children was only 46 years old.

Amir Kia was arrested with her husband and other Bahais in Tehran when their religious meeting place was revealed. Her husband renounced his faith and later was freed. "I'm proud of her. She was steadfast," said Tirandaz, who lives in Galveston today.

"These martyrdoms have made everyone stronger. It has reinforced our belief in the faith and its true message," said Riaz Masrou, a Houston Bahai.

Said spokesman Giani, "We've always said we would rather give up our lives than give up our faith."

[From the Iran Times International, July 9, 1993]

BAHA'I BODIES ARE EXHUMED BY TEHRAN

WASHINGTON.—Tehran city employees are digging up the gravesites of Baha'is, according to the National Spiritual Assembly of the Baha'is in the United States.

An announcement said the bodies were being removed from Tehran's Baha'i cemetery to make way for a cultural center.

The Baha'i announcement said all Baha'i cemeteries were confiscated by the regime after the revolution. Gravesite markers and memorials were obliterated, but the bodies were not exhumed.

The Baha'i announcement said it was not known where the Tehran municipality was moving the bodies.

It described the destruction as "perhaps the most literal example of the Islamic regime's efforts to destroy the Baha'i community and its cultural roots in the country in which the faith emerged."

JAPAN-UNITED STATES TRADE DEFICIT TO GROW

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. BEREUTER. Mr. Speaker, if the President of Japan's largest shipping company is correct, the United States trade deficit with Japan is likely to grow both this year and the next. Mr. Jiro Nemoto of Japan's NYK line makes this ominous prediction despite the fact that President Clinton and the Prime Minister of Japan recently announced a new framework agreement on July 10 to resolve trade disputes between the two countries.

For those who believe that this agreement marks the beginning of reduced trade tensions between the United States and Japan, the following article from the July 21, 1993, edition of the Journal of Commerce is important reading.

[From the Journal of Commerce, July 21, 1993]

(By Don C. Becker)

I have mixed emotions about the probably accurate predictions of Jiro Nemoto, president of Nippon Yusen Kaisha Ltd., parent of NYK Line, Japan's largest ocean shipping company.

We met with the irrepressible Mr. Nemoto last week, and he was his usual outspoken and engaging self.

Mr. Nemoto's unqualified optimism about his company's outlook for 1994 and 1995 was good to hear, as was his conviction that Japan's economy has bottomed out. He also forecast strong economic growth for all of Asia in 1994.

What bothered me was Mr. Nemoto's belief that Japan's trade surplus with the United States will grow not only this year but next as well. While not surprising, it is nonetheless a disturbing reminder, since it almost certainly will contribute to increased tensions.

The danger is that the United States will take some tough unilateral action to force down the trade numbers and sour long-term relations. Most observers believe this is a more likely stance under the Democratic Clinton administration than it was under Ronald Reagan or George Bush, even though Mr. Clinton returned from the recent Tokyo summit with a more moderate stance than he had shown earlier.

That could just be temporary.

Assume that the U.S. economy fails to respond to President Clinton's euphemistically named "deficit reduction bill," which, in fact, is really a tax increase—the largest in history.

After all, higher taxes don't usually cause economic growth. Assuming the president's bill passes, it could push the nation back into recession.

In these circumstances, Japan could become a convenient scapegoat. Strong measures against Japan might be politically appealing for Mr. Clinton—whose party is already fretting about next year's congressional elections—especially if he perceives Japan is not keeping its summit pledges.

For its part, Japan has been talking much tougher in recent years, with some of its leaders speaking out with resentment about "meddling" by U.S. officials who have proscribed ways to open Japan's economy and lessen the deficit. The currently unsettled political situation in Japan probably doesn't help.

Thus, an exacerbation of the trade deficit with Japan, juxtaposed with a soft U.S. economy, has the potential to create a serious falling out.

Indeed, polls already show that 60% of the Japanese people think relations with the United States are not good. And there are plenty of folks in this country who believe Japan is unfair.

Mr. Nemoto likened Japan's trade surplus with the United States to a "J" curve. While it has come it has come down from the 1987 high of \$56.3 billion, he believes it will rise this year and next.

See the accompanying chart for the Commerce Department's numbers since 1984 and its forecast for 1993.

Mr. Nemoto said Japan is now poised to reap the rewards of the heavy investment of the past several years, made possible by his country's high savings rate. This is one reason he foresees an even bigger Japanese trade surplus next year.

Happily, he believes that the U.S. economy will "come up" by 1995 and that it is possible the trade deficit with Japan will then decline. Indeed, given the sharp recent rise in the value of the yen and the usual two-year time lag before it begins to be felt in trade balances, Mr. Nemoto could be right on.

So the real point of danger is 1994 when Americans go to the polls in what will be a major test for the Clinton administration. Should U.S. unemployment be at 8 percent and Japan's surplus headed for an all-time record, things could get tough.

To head this off, the Japanese ought to work a little harder to avoid embarrassing growth in their trade surplus with this country as indeed was accomplished in May (which most believe is a one-time blip).

While progress has indeed been made in recent years it is no where near what most believe is possible. Estimates are that a level playing field could reduce the U.S. deficit with Japan by \$18 billion.

Which is not to say that we Americans don't bear a large part of the blame for the deficit for a variety of reasons all too widely known to repeat here. And then there is the less-mentioned fact that there are twice as many Americans as there are Japanese, thus Japanese manufacturers have a much larger target.

But the bottom line is that tensions will continue and perhaps worsen, until it is as easy for Americans to do business in Japan as it is for Japanese to do business here. No one believes that the United States can pare the Japanese surplus below \$30 billion any time soon. But achieving a level playing field is crucial.

Mr. Nemoto said, "Please don't harass us," although he quickly added, "We must be fair." But he, like most Japanese, believes the bulk of the blame is on the U.S. side, just the opposite of what most Americans think, which is the basis for the possible collision course.

INTRODUCTION OF LEGISLATION REGARDING SAFE DRINKING WATER AND WASTEWATER TREATMENT FACILITIES

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. COLEMAN. Mr. Speaker, today I introduced legislation to address a problem which

has been forgotten and ignored for far too long. The lack of drinking water and wastewater treatment facilities in the southwestern United States, in communities known as colonias, has caused environmental degradation and has had a detrimental impact on public health. Colonias are communities in the southwestern region of the United States along the United States-Mexico border which are generally unincorporated and characterized by a lack of running water, sewage treatment facilities, and safe, sanitary housing. Why are people living in such desperate, and indeed third world conditions? The answer is a very long story about a lack of economic development.

Rather than go into an extensive history of the causes of the problem, I would just say to my colleagues the residents of these communities thought that in buying a piece of land upon which they could build a home that they were earning a piece of the American dream. Sadly, the dream has yet to come true for these hard-working Americans and their children. I have been fighting for many years, on many levels, to address this problem. Today I have introduced a measure specifically addressing the lack of sewage treatment facilities for the region. In the near future, I intend to also introduce a measure to address the lack of safe drinking water, so that my constituents will finally be able to enjoy the same basic standards of living which the rest of us take for granted every day.

I know there are some who will try to cloud this debate with misinformation. I would therefore like to assure my colleagues this legislation is in no way related to the North American Free Trade Agreement [NAFTA]. The bill seeks only to correct a problem which has existed for more than 30 years. Whether or not there is a trade agreement, this problem must be addressed. This legislation is most fundamentally about providing a healthy environment to poor Americans. I would also point out three other important facts: First, colonias are communities located wholly in the United States; second, the residents of colonias are American citizens and legal permanent residents; and third, the residents are not squatters, they purchased land, for which they have legal deeds, from unscrupulous developers who promised them everything and delivered nothing. I hope my colleagues will avail themselves to addressing the needs of Americans, irrespective of where they live, and not bow to the misinformed arguments of those who are not from the border and cannot possibly know the needs and concerns of the region. I am asking for simple justice and fairness for children who live in poverty and squalor in the United States.

Today, there are more than 350,000 Americans, many of them children, who live in colonias without any access to such basic services as indoor plumbing or safe sewage disposal. That's right Mr. Speaker, there are more than 350,000 people who live every single day in conditions far worse than those which people in the Midwest are currently being forced to endure. In my district alone there are nearly 48,000 people who live under these appalling conditions every day. Let me try to describe to my colleagues what life is like for these hard-working, albeit poor, Americans.

In the State of Texas there are nearly 300,000 people living in approximately 1,200 colonias which the State has been able to identify. The majority of these communities do not have paved roads and many do not even have names. Forty percent of these communities, or roughly 112,000 people, do not have access to public water, a precious and expensive commodity in the desert. Instead these people are forced to rely on water from wells or water which is transported from outside the community. Most of the wells are dug by hand and are no more than 15 feet deep, many are even more shallow than that. In my district the water table is only about 7 feet deep in sandy soil, which makes the water brackish and not suitable for drinking even under the best of circumstances. Only when we consider that many residents have equally crudely dug out-houses located less than 50 feet from these wells, can we begin to appreciate how truly unfit for drinking this water is. And even those who have their water brought in must find places to store it. Sadly, the storage container is all too often an old chemical container, generally with the skull and crossbones still visible. Not only is this extremely dangerous in itself, storing the water causes the chlorine, which is what keeps our drinking water safe, to dissipate. I ask my colleagues, Mr. Speaker, to try to imagine living every day of their lives having to constantly plan how much water would be required for every meal, every bath, every laundry day, every time they washed their dishes by hand. I think my colleagues will agree this would be very burdensome indeed.

Now add to that the fact that of the approximately 1,200 colonias in Texas, exactly three have public sewage disposal. Yes, three. Mr. Speaker, that means that only one quarter of 1 percent of the people who live in the colonias have access to sewage treatment facilities. The remaining 99.75 percent are forced to rely on septic systems or outhouses and cesspools. The Texas Water Development Board reports that 44 percent of colonia residents utilize the latter for their waste disposal needs. Many of these outhouses consist of little more than a toilet seat over a shallow hole in the ground. In other cases, people dispose of their waste in ditches and streams which flow into the regions rivers. Even in areas where there are septic systems, researchers have consistently found that these are usually not properly installed and therefore leak.

This lack of services has had a significant impact on the environment. American Rivers recently identified the Rio Grande as the most endangered river in the Nation. The American Rivers study also identified the major cause of pollution in the Rio Grande: a lack of proper sewage treatment facilities in the region. Perhaps even more disturbing to this member is the fact that the groundwater has also been contaminated. A recent study in my district found that nearly 100 percent of the groundwater samples in the colonias were contaminated with fecal bacteria.

It should be no surprise to my colleagues that this situation is also having very serious health consequences. The lack of public services means that the residents in these communities are, in effect, drinking, washing

dishes and bathing in their own refuse. The incidence of hepatitis in the border region is two to three times higher than the national average, and in my district the hepatitis rate is five times the national average. Let me put that into perspective for my colleagues. Several years ago, one of the school districts in El Paso County tested the students for hepatitis. The results, Mr. Speaker, were shocking. By the age of 8 approximately 35 percent of the children had been infected with hepatitis A, and by the age of 35, up to 90 percent of colonias residents had been infected.

Unfortunately, hepatitis is not the only disease which threatens the residents of the colonias. Perhaps the most disturbing, and most widely publicized, consequence of the environmental problems associated with the lack of proper sewage and drinking water is the alarmingly high number of anencephalic, or brainless, babies which have been born in the region. Less dramatic but no less dangerous are two gastrointestinal infestations, amebiasis, caused by a parasite, and shigellosis, caused by bacteria, which are endemic in the region. The rates of these diseases are also two to three times the national average. In addition, 15 percent of families in colonias report that at least one family member suffers from diarrhea every week. Finally, Mr. Speaker, cholera, which is virtually unknown in the United States but is epidemic in parts of Mexico, continues to threaten border communities. Last year, cholera bacteria were found in the drinking water in Ciudad Juarez, El Paso's sister city. We all know that disease knows no international boundary, nor does it respect any internal divisions within this country. It is imperative that we take steps to eliminate the health hazards faced by the residents of the colonias.

Perhaps one of the cruelest ironies in all of this is the fact that both the Government of the United States and that of the Republic of Mexico understand the urgent need to address this and other environmental problems. In accordance with the binational environmental agreement of 1990, the Mexican Government has pledged to invest at least \$460 million over 3 years to address environmental and health problems on its side of the border. Last year, in order to comply with that same agreement, EPA requested \$170 million for wastewater treatment projects on the border. A total of \$70 million was appropriated in fiscal year 1993 for grants to the colonias for wastewater treatment projects on the border.

This year, the administration included approximately \$164 million for American communities along the United States-Mexico border in its fiscal year 1994 budget request. However, funding for the colonias was denied by the VA-HUD and Independent Agencies Appropriations subcommittee on the grounds that such an appropriation was not authorized. Despite that fact that there are currently four statutes in force which authorize such expenditures, it is my understanding that an additional, agency-specific authorization, is necessary in order to secure funding for these hard-working Americans. Mr. Speaker, this legislation does nothing more than provide the additional authorization the subcommittee on VA, HUD and Independent Agencies has requested.

Mr. Speaker, the Nation's attention has been focused on the problems experienced by approximately 250,000 people because of the breakdown of the water systems in Des Moines due to flooding. The victims of the flood have my fullest and deepest sympathies and I support disaster relief for those families. However, now that we have had our attention focused on the problems and difficulties that arise when we do not have access to these important services, I would ask that my colleagues join with me to ensure that all Americans are provided with safe water and sewage facilities. The victims of the floods in the Midwest will only have to endure these conditions for an estimated 30 days; the residents of the colonias have been enduring their hardships for more than 30 years. The time has come to finally address the needs of poor Americans who live along the international border between the United States and Mexico.

In recent weeks I have many of my colleagues tell us we need to take care of our own citizens. I agree, but I would just say to my colleagues that we need to take care of our citizens no matter where they live, no matter who they are, and no matter what their background may be. Every American citizen is entitled to a certain basic standard of living and we as a Nation should own up to our responsibilities to take care of those who are least able to take care of themselves. This is not about free trade, this legislation seeks nothing more than to protect poor children from becoming sick. I think it is a travesty that this problem has been left for so long.

TRIBUTE TO LOCKHEED-SANDERS RECIPIENT OF VALUE ENGINEERING ACHIEVEMENT

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SWETT. Mr. Speaker, I rise today to pay tribute to the employees of the Lockheed-Sanders Co. of Nashua, NH. Yesterday, they were a recipient of an annual Department of Defense Value Engineering Achievement Awards for the second time in as many years. Receiving the award for Lockheed-Sanders was Dr. John Kreick, the company's chief executive officer.

The value achievement award program is a Department of Defense initiative where cost efficiency and product productivity are the objectives. Each year the Department of Defense can submit one nominee for each of seven categories: Program management, individual, procurement/contract administration, professional, field command, installation, contractor. This year the Lockheed-Sanders Co. was nominated by the Navy for an award in the contractor category.

The award that Lockheed-Sanders received was for a value engineering change proposal [VECP] on their AN/ALQ-156A missile approach warning system. The VECP is a cost-reduction modification to an already existing program. The contractor provides the customer, in this case the Navy, with a plan to eliminate cost and increase output. The cus-

tomers, in turn evaluates and approves the proposal and validates the cost savings.

The new additions and revisions to Lockheed-Sanders' missile approach warning system makes it not only less expensive to manufacture but also increases performance, allowing for smaller and more efficient parts.

Mr. Speaker, in these times of deficit reduction and budget cutting, the development of more effective technologies has been a goal of many industries. The Lockheed-Sanders Corp., through the efforts and leadership of Dr. Kreick, has provided an outstanding example of how that goal can be met. I ask my colleagues to join me in recognizing the achievements of the employees of Lockheed-Sanders.

TRIBUTE TO THE JET PROPULSION LABORATORY

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Ms. HARMAN. Mr. Speaker, I rise to pay tribute to a NASA center that gets it: California's Jet Propulsion Laboratory.

We live in an era of hard choices and limited resources, and there is no agency that must undergo a more radical cultural shift to adapt to this different era than NASA. NASA was born with the goal of doing the impossible and was given the resources to accomplish any mission. America became the world's undisputed leader in space exploration because we set lofty goals and were willing to spend whatever it took to accomplish them.

Hire whomever it takes. Build whatever it takes. Spend whatever it takes. This attitude gave us the Apollo images that have become part of the human consciousness—the surge we all felt when Neil Armstrong took that first step on the Moon.

But, the world has changed, the cold war is over, and every Federal dollar counts. We can no longer afford a whatever it takes space program, and NASA has begun the painful cultural transition to scrutiny that every other Federal agency must endure. We have to learn how to accomplish the same amount of science and exploration for less money. An excellent example of how this can be done is the Jet Propulsion Laboratory under Dr. Ed Stone's leadership.

JPL has its share of NASA dreamers, but with a more practical bent. They dream of exploring the stars with equipment that you can buy at Radio Shack. Originally, JPL had plans for a \$3.5 billion project to send a scientific rover to Mars to do soil experiments and photograph the surface. But, many saw the price and got sticker shock.

So JPL designers went back to the drawing board and began to think creatively about how they could send a rover to Mars for far less. They began to build a rover using off-the-shelf technology available on the commercial market rather than parts they would have to design and build themselves. They began to think of a design using airbags and lasers instead of orbiting and breaking technology—cheap enough so that it could be easily improved and new rovers could be sent to Mars

every couple of years. Finally, they came up with Rocky IV, a Martian rover with a price tag of \$150 million, a mere 4 percent of the original price.

The new concept is set out in the April 1993 issue of *Road & Track*, hardly an arcane journal, in the same format as descriptions of the latest auto technology.

And the same mindset is being applied to the Cassini probe to Saturn and the Galileo probe, en route to Jupiter. It is this same ethic that needs to be brought to the entire space agency.

Mr. Speaker, I congratulate Doctor Stone and his team at JPL for their commitment to both scientific and budgetary excellence.

The excerpts from *Road & Track* follow:

Meet Rocky IV. No, not the movie, but a small remote-controlled Mars rover. And she's a mighty interesting specimen—a product of slashed budgets, electronic miniaturization and just plain cleverness. (By the way, JPL scientists refer to Rocky in the feminine—as do we with cars and ships.)

She's small, but don't confuse Rocky IV with any ordinary remote-controlled car. For instance, consider that a two-way communication between here and Mars requires as much as 40 minutes—and that's at the speed of light. (Pause for perspective: At Mars' closest approach, it would take almost eight years to fly to there in a 747.)

Consequently, a good rover needs to be fairly independent-minded, able to amble around under its own good judgment and not jabber on the phone all day.

Rocky's experimental predecessor, big Robby, became pretty good at this in testing, capable of calculating distance, recognizing obstacles and reckoning the best path through rough terrain. A smart guy. But Robby grew to carlike dimensions and weight, and cost estimates put landing Robby on Mars at from \$3 to \$4 billion. Good-bye, Robby.

So JPL's rover team recalculated and realized that their 1/4-scale rover models were all NASA's shrinking budget could afford. Rocky's cost is capped at \$25 million, while the spacecraft and transit to Mars should tally roughly \$150 million. Peanuts in this business.

For its size (only 23.6 in. long and 16.5 lb.), Rocky's smart—say, equivalent to a desk-top computer. But no match for Robby's intellectual firepower, so some compromises have been made. Instead of being entirely self-directed, Rocky will first image the terrain with twin cameras (from Kodak), allowing 3-D goggle-wearing scientists in Pasadena (honestly) to get a feel for the landscape. Then they'll plot a short, promising course and tell Rocky to go try it.

What's interesting is that if trouble crops up, Rocky won't get too sophisticated in negotiating new routes around obstacles. Instead, it'll simply-mindedly begin observing a series of what are called IF-THEN statements.

For example, say Rocky's proximity detectors sense a big stone in the way. All the rest of its sensors—of which there are 12 types—then report in and Rocky reaches a simple IF-THEN conclusion: maybe, back up and turn right. If that doesn't work, another IF-THEN is tried, and if eventually the rover gets frustrated, it stops and calls for help. Admittedly, all this sounds simple, but it represents an original type of robotic control created by MIT's Rodney Brooks (and enhanced by JPL's David Miller) resembling ant behavior. (For R&T's first glimpse at

this "Artificial Intelligence," see *Tech Tidbits*, August 1991.)

Rocky is similarly antlike in her agility over nasty, rock-strewn terrain. Powering each of her six wheels is a 2-Watt motor (totalling 0.016 bhp), driving 2000:1 planetary reduction gears, which limit Rocky to a meager but irrepressible 3.3 ft./minute. Each day, JPL operators expect Rocky to cover about 66 feet, including grades up to 26 degrees.

Additionally, Rocky can climb obstacles her own height using her spring and shockless pantograph suspension, which, oddly enough, favors small wheels in the rough stuff. And incidentally, Rocky's tires are steel because rubber would crumble at Mars' icy temperatures (see accompanying story). For the same reason, Rocky is lubricant-free.

The first mission is focused on proving all this hardware will really work. For example, just landing on the Martian surface entails penetrating the thin atmosphere behind a heat shield, deploying a parachute, being lowered from the chute on a 300-ft. tether, and finally crashing into the ground atop four inflated airbags that pop on impact. And even then she will smack the ground with a smart 50gs.

Once on the Mars-scape, Pathfinder will open like a tetrahedral flower displaying solar-cell covered petals with Rocky attached to one of them.

On mission number one, Rocky's assignment is to scramble away from the lander, snap a picture to judge how well she landed, test the sandy surface for shear resistance (by locking five wheels and spinning the sixth) and for density (by measuring the depth of her wheel tracks).

She might also blast a nearby rock with a tiny Gatling gun to expose the interior and spectroscopically analyze it: Nobody really knows what Mars' rock is made of. And when her little non-rechargeable batteries die, Rocky will sleep at night waiting for the next sunrise to illuminate her 2.2-sq.-ft. solar panel.

But that's if Rocky doesn't just quietly sink in a soft patch of red sand and disappear one day. JPL's scientists know so little about the soil, they shrug, "It's possible."

A silly kind of end, similar to H.G. Wells's Martians who died of simple earthly bacteria. But my bet's on Rocky pulling through, blasting little rocks, dodging boulders, collecting photos and roving very far indeed.

A SPECIAL TRIBUTE TO SIDNEY JAMES FAISON

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. STOKES. Mr. Speaker, I rise today to pay tribute to Sidney James Faison, a dedicated human being who recently lost his life while rescuing others. Many of my colleagues will recall that a few weeks ago, a natural gas explosion occurred on a busy street here in the District of Columbia. We know from accounts published in the Washington Post that the late Mr. Faison, an employee of the District of Columbia Department of Public Works, was en route home from work when the explosion occurred. This courageous human being saw the danger and immediately began directing vehicular and pedestrian traffic away from

the area. Tragically, Sidney Faison was killed when an underground pipeline exploded.

In reflecting upon the life of Sidney Faison, family and friends recalled that helping others was just one of many admirable traits of this individual. Mr. Faison served as chairman of the Central Baptist Church Board of Trustees, and sang tenor in the male chorus. He was the den leader for Cub Scout Pack 778; and he spent countless hours working at the church and helping friends and neighbors make needed home repairs.

Mr. Speaker, as I pay tribute to the late Sidney Faison, I also recognize his long-time commitment to Masonry. In 1982, Mr. Faison became the Worshipful Master of St. John's Lodge No. 12. He was a member of the Jonathan Davis Consistory and a member of Mecca Temple Number 10. At the time of his death, Mr. Faison served as chairman of the Ritualistic Committee for St. John's. As a Brother in Masonry, I am aware of the tremendous amount of dedication, responsibility and sacrifice that is required of each member. I also know the personal satisfaction that is gained from serving others.

Mr. Speaker, Sidney James Faison gave up his life for others. The Washington community and our Nation pauses to recognize his selfless act of courage. I am honored to join my Brothers in Masonry, the Washington community and others in paying tribute to Mr. Faison during this time. I extend my deepest sympathy and prayers to his loving wife, Eurdine Faison, his family, relatives and many friends. Sidney Faison was a very special individual who will never be forgotten. I want to share with my colleagues an editorial which appeared in the Washington Post newspaper regarding Mr. Faison.

SIDNEY FAISON

It is rare enough for someone to lay down his life for his friends, rarer still to do so for strangers.

No one will ever know for sure how many lives Sidney Faison saved on Monday. Mr. Faison, a street engineer for the District, smelled gas and stood on Pennsylvania Avenue at 30th Street in Southeast Washington to direct traffic away from the leak. Mr. Faison must have had a clear idea of the danger he was in, because his frantic work of saving others involved urging them away from the peril he was courting himself. At 4:30 p.m., the underground pipeline exploded, engulfing him in flames. He died early Tuesday.

Mr. Faison was off duty; he had no formal obligation to do what he did. He was headed home to do some repair work and could have kept right on going. Most people would have, and no one would have judged them harshly for doing so.

Heroism is talked about a lot, but it's hard to define until you see it. It's often described as involving grand acts, but most of the time, heroes are people who do the right thing just because it's the right thing to do. When the testing time comes, they don't even notice they are being tested, so automatic is their response to help others—and in Mr. Faison's case, to save them. Heroes can't be preprogrammed or created by self-esteem or heroism classes. Heroes create themselves by steady, day-to-day practice. In Mr. Faison's case, this involved all manner of small acts—as a Cub Scout leader, as a leader of his church, as a man who did repairs for friends and relatives at no charge.

Because the small actions came so naturally, so did the large act that took Mr. Faison's life.

"Tell me, and I'll forget" goes the proverb, "show me, and I may remember." Mr. Faison showed that heroes think first not about costs or benefits or dangers but simply about doing right. For that, he will be remembered and honored.

KILDEE SALUTES OAKLAND COUNTY UNDERSHERIFF BILLY NOLIN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. KILDEE. Mr. Speaker, I rise before you today to pay tribute to an outstanding leader in the field of law enforcement, Undersheriff Billy Nolin, who is retiring after 35 years of distinguished service with the Oakland County Sheriff's Department.

Mr. Nolin's family moved to Lake Orion during World War II. Billy joined the U.S. Air Force in 1947 and was discharged honorably after a 4-year tour of duty. Mr. Nolin was appointed to the Oakland County Sheriff's Department on November 18, 1957.

When Billy joined the sheriff's department over 35 years ago, the force consisted of only 50 people. He was hired as a patrolman and served in this position until 1968, when he was promoted to the position of detective. His demonstrated leadership ability became instrumental in the continued progression of his career. Accordingly, in 1973 Billy was promoted to the position of chief of investigation.

In 1978 Billy Nolin was named to the position of captain. His distinguished service as a captain earned him the respect of his colleagues and the entire community. By recognizing Billy's leadership ability and achievements in the field of law enforcement, Sheriff Nichols appointed him undersheriff in 1985.

Today the Oakland County Sheriff's Department has grown to 800 employees. Undersheriff Billy Nolin's hard work and dedication have been instrumental in the department's expansion. He also helped in gaining recognition of the Oakland County Deputy Sheriff's Association as a bargaining unit in contract talks with the county.

Mr. Speaker, without a doubt Oakland County is a much better place in which to live because of the leadership provided by Undersheriff Billy Nolin. The Oakland County Sheriff's Department will lose a bright and committed individual when Billy Nolin retires after 35 years of dedicated service. I ask you and my fellow Members of the House of Representatives to join me in wishing the best for Billy Nolin and commending him for a job well done.

SIGNET AWARD GIVEN TO JAMES A. JOHNSON

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Ms. DeLAURO. Mr. Speaker, for the past 12 years, the trustees of my alma mater,

Marymount College in Tarrytown, NY, have annually conferred the Signet Award to an individual who through his or her professional leadership and commitment to community service has significantly improved the quality of life of others. This year the signet was awarded to James A. Johnson, chairman and chief executive officer of the Federal National Mortgage Association [Fannie Mae], for his contributions as a public servant and corporate leader.

Fannie Mae is the vital force in the American home mortgage finance industry. An innovative and standard-setting corporation, Fannie Mae has assumed the leading role in the delivery of affordable housing to low-, moderate-, and middle-income families. But Fannie Mae not only provides housing opportunities for people from all backgrounds and areas across this Nation, but career opportunities as well.

Under the leadership of Jim Johnson, Fannie Mae is fast becoming a national example of what can happen when a company makes the best use of all its people. Instead of just talking about it, Fannie Mae has put women to work. Fifty-six percent of the employees at Fannie Mae are women, including 37 percent of its management group and 37 percent of its operating committee. In Jim's own words, "By valuing our differences through mutual respect and creating an environment in which each one of us can enjoy maximum opportunity, maximum growth, and maximum fulfillment, we will strengthen our economy and we will strengthen our society."

Marymount College was founded to provide affordable education to American women. Jim Johnson represents the standard of excellence and commitment to community that Marymount College expects of its students and alumni. To better understand Fannie Mae's record, I want to share with my colleagues the brief remarks Jim Johnson made as he accepted the Signet Award.

The text of those remarks follow:

ACCEPTANCE OF THE MARYMOUNT COLLEGE SIGNET AWARD BY JIM JOHNSON, CHAIRMAN AND CEO, FANNIE MAE, NEW YORK, NY, MAY 5, 1993

Fannie Mae's mission is to open doors of affordable housing to American families. Marymount's mission is to open doors to affordable education for American women—an education aimed at unlocking the doors to jobs that have for too long been closed to women. We should all be proud that our participation tonight helps make that kind of education possible.

Marymount faced great odds when it first opened its doors in 1907. That was the same year Professor William I. Thomas, a University of Chicago social scientist, espoused his theory that women were biologically incapable of becoming intellectual leaders or scholars.

But Marymount and women persevered. Professor Thomas's theory is now merely a toxic footnote in history. Marymount is a strong, effective, institution which stands out as a leader in "Preparing Women for Success." There is still a need to continue removing barriers to a productive future for women.

The glass ceiling of American institutions is slowly disappearing and women are providing leadership in so many of our human endeavors, thanks to institutions like Marymount and people like you.

In her kind remarks about me, Sister Brigid pointed out that Fannie Mae helped 2.9 million American families afford a home last year. I am very proud of the institution I have the privilege to lead.

Fannie Mae through the leadership of its Chief Credit Officer sets the standard of mortgage making in America.

Fannie Mae through the leadership of our Senior vice President and Treasurer is the largest corporate borrower in the U.S. capital markets.

We issue more Mortgage-Backed Securities than anyone.

We manage through our Senior Vice President for Operations a complex book of business including more than eight million mortgages.

And we deal with the complex legal and regulatory issues that correspond to the central role we play in the nation's largest financial market.

I am pleased to report to you tonight: that Chief Credit Officer, that Senior Vice President and Treasurer, that head of Mortgage-Backed Securities, that Senior Vice President for Operations, and that the Chief Legal Officer are named Ann and Linda and Donna and Lynda and Caryl.

Today, 56 percent of our 3,000 Fannie Mae employees are women. Thirty-seven percent of our management group are women. Thirty-seven percent of our Operating Committee, our most senior management group, are women. Thirty-four percent of all our officers are women.

I tell you this not to boast about what Fannie Mae is doing for women. I tell you this to boast about what women are doing for Fannie Mae.

We now have within our reach the goal of enabling women to populate all levels of our company in numbers equal to men. My fondest hope and most cherished dream is that Fannie Mae can be the permanent, living response to any who would say, "If our work were not so complicated or the financial stakes were not so high, we could move faster here on the issues of equality." I hope that Fannie Mae can soon be the response weapon of choice. Let them simply say, "I know of a place where it has been done."

By valuing our differences through mutual respect and creating an environment in which each one of us can enjoy maximum opportunity, maximum growth, and maximum fulfillment, we will strengthen our economy and we will strengthen our society.

We see the day, not too far away, when our country will achieve what Sister Brigid, the women of Marymount, and all of us in this room want—a world where equality and justice know no gender.

I thank you for this honor tonight. It will constantly remind me of how much more I have to do to really deserve it.

TRIBUTE TO THE AMERICAN MEN AND WOMEN WHO FOUGHT IN THE KOREAN WAR ON THE 40TH ANNIVERSARY OF ITS CELEBRATION

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. SANGMEISTER. Mr. Speaker, I rise today to pay tribute to the brave Americans who defended freedom and democracy in

what is regrettably known as America's Forgotten War—the Korean war.

July 27, 1993, marks the 40th anniversary of the signing of the armistice that brought an end to the conflict on the Korean peninsula. America, South Korea and our other allies fought to a draw with the North Koreans and their communist allies, China and the Soviet Union, in the 3 year struggle. But our troops won a much more important victory than the one on the ground, they stopped Communist tyranny and expansion, proving that the cold war policy of containment could work. In essence, the end of communism began on July 27, 1953.

Not only do all Americans and South Koreans owe the 5.7 million men and women who fought in Korea a debt of gratitude, but so do all freedom-loving people the world over. We should also reserve a special place in our hearts and minds for the 54,246 Americans who lost their lives in Korea as well as the 328 prisoners of war still unaccounted for.

As one of the more than 30 members of the House who served in the Armed Forces during the Korean war, I find it especially tragic that many refer to this conflict as the "Forgotten War." Those who served and their families have not forgotten the sacrifices made in the defense of democracy. Certainly, our Nation should never forget those who fought and died on foreign soil.

Mr. Speaker, until we are able to set aside a permanent day of remembrance for those who fought in Korea, let us commemorate their sacrifices in our own way on this July 27, as well as on each and every 27 in the future.

USTR SHOULD ACCEPT PENDING GSP PETITION ON WORKER RIGHTS VIOLATIONS IN MEXICO

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. BROWN of California. Mr. Speaker, following is the third segment of the pending petition before the USTR alleging extensive worker rights violations in Mexico. It raises profound questions about systematic repression of labor lawyers and trade union leaders, nonenforcement of child labor laws, and a minimum wage law that falls far short of making affordable basic needs for many Mexican families. A public hearing on this petition is a must.

VI. Repression of labor lawyers and labor leaders.

(a) The arrest during labor-management negotiations in January, 1992 of Agapito Gonzalez Cavazos, head of the Matamoros regional CTM union, on three-year-old charges of tax fraud, is well known. The Country Report indicates that "his supporters charged harassment. Mexican government officials denied this." (1992 Country Report at 450) Other interpreters have been somewhat more voluble and detailed.

Jerome Levinson, former general counsel of the Inter-American Development Bank, writes of this incident:

"In January 1992, Agapito Gonzalez, head of the Day Laborers' and Industrial Workers Union in Matamoros . . . aggressively tried

to negotiate higher wages than the official guidelines sanctioned by the government. Gonzalez was ruining the climate for foreign investment. Shortly thereafter, federal Judicial Police descended on Matamoros to arrest the 76-year-old labor leader."

"In a complaint to the Mexican National Human Rights Commission Gonzalez charged he was held incommunicado by agents who questioned him on tax evasion charges, despite the fact he claimed to have evidence of having paid his taxes. Gonzalez was later transferred to a hospital where he remained under police arrest. Though he was released a few months later, the message to union organizers was clear: aggressive representation of workers that hurt prospects for attracting foreign investment would not be tolerated by the Salinas administration." (*Unrequited Toil* at 10).

(b) The case of Aquiles Magana, who is the leader of the Union of State, Municipal and Public Employees of the State of Tabasco, in southeastern Mexico. On April 29, 1990, Magana led a demonstration of the workers of the municipality of Villahermosa, to demand payment of a wage rise already authorized by the state government. As the workers marched toward the Governor's Office, Magana was arrested without a warrant and was taken to the headquarters of the State Judiciary Police. He was accused of damaging the city's garbage trucks and of causing injuries to one worker, apparently one of those workers who participated in the protest.

After a vicious judicial process, Aquiles Magana was condemned to four years and two months' imprisonment simply on the grounds that, since he confessed to be the leader of the protesting workers, he was responsible for any possible damage caused by any of the workers. This was in spite of the fact that the worker who supposedly was injured by Magana declared that he did not know Magana and that his injuries were caused when he accidentally fell. The identity of those persons who supposedly damaged the trucks feloniously for which Magana was held responsible was never established, or even investigated. The judge refused to allow defense counsel to make an inspection of the allegedly damaged truck, claiming that such an inspection had already been made by the public prosecutor, who had "proved the extent of the damage by his inspection." The prosecutor said that while he could see the damage to several trucks, when Aquiles Magana asked to participate in an inspection, the judge said it was irrelevant and denied the request. When Aquiles Magana attempted to present witnesses to testify that no damage to any trucks took place during the demonstration, the judge refused to allow their testimony on the grounds that they would just try to protect Magana. He was also convicted of causing damages and injuries to a worker's arm. The allegedly injured worker was illiterate and testified in the court that he had been taken to the prosecutor's office and forced to place his fingerprint on a blank sheet of paper. He denied that he had made the statement attributed to him in the court; instead, he testified, his injury had occurred from falling down. Nevertheless, Aquiles Magana was convicted of both charges and sentenced to four years and two months.¹ He was found to be "the intellectual perpetrator of the crimes," even

though no investigation ever attempted to locate any person physically responsible for the alleged crime.

There were other irregularities. The inspection report on the allegedly damaged trucks was unsigned. It had no date and no detailed description of the trucks that were damaged. The number of damaged trucks was not indicated. Nor was any attempt made to prove the ownership of the supposedly damaged vehicles.

Aquiles Magana, when arrested, was denied bail. After 32 days a Federal judge finally ordered the state government to release him on bail.

(c) The case of the lawyer for Aquiles Magana, Joel Garcia, who also represented the oil workers union in its dispute with Pemex in 1991. While the dispute was underway, he was suddenly charged with fraud by a small group of workers on the basis that he had been paid his contracted fee with the union but that the dispute had been settled "politically," rather than as a result of his legal work. Although the government prosecutors were aware there was no legal basis for such charges, they proceeded to carry out a lengthy investigation and to issue a warrant for Garcia's arrest. He was forced into hiding for five months until a Federal judge ruled that the case had no basis. But the State prosecutor reissued his warrant without any alterations, and forced Garcia into hiding for another three months until a Federal tribunal ruled again that the prosecutor's case was without merit.

(d) Estela Rios and Maria Eugenia Meza, lawyers for workers at Siderurgica Lazaro Cardenas, state-owned company processing metal products, were charged during negotiations with falsifying workers' signatures on the letters requesting them to represent them. They were finally cleared of the charges, but because of the fear of being imprisoned, they spent several months when they could not represent their union adequately. While they were representing about 500 workers they were arrested in Mexico City and held incommunicado for 24 hours.

For lawyers representing workers in disputes with powerful companies or with the State this type of harassment is all too common in Mexico.

(g) Emilio Miron Isidro, leader of the union of the Tropico Brewery in Oaxaca state, was assassinated on April 30, 1992, by unknown assailants. This assassination occurred during a labor conflict and apparently was conducted under company orders. No investigation has been undertaken and no one has been arrested for the murder.

(h) In Mexico City, the Judicial Police detained Lilia Mejia and Jorge Torres, leaders of the democratic movement of the workers of the Ministry of Agriculture and Aquatic Resources, in March, 1992. They were detained for two days, after which they were reportedly released without charges being filed.

MINIMUM AGE FOR THE EMPLOYMENT OF CHILDREN

In the November 1991 resolution, the Subcommittee noted that the evidence provided by petitioners did not necessarily substantiate that the government condoned this behavior (underaged child employment), and that experts of the U.S., department of Labor as well as the GAO report they found that the number of Mexican inspectors per capita is roughly comparable with the numbers in the US.

In *Mask of Democracy*, Dan La Botz cites professor Hector Santos Azuela, who, "in an essay titled 'Child Labor in Mexico', notes

¹Source: trial documents, including preliminary prosecutor's investigation, case No. 044/90, Tabasco; Tabasco State Court ruling No. 82/90; State Superior Tribunal Case No. 280/91; Federal Amparo 929/91.

that child labor is widespread. "It is not difficult to find them working with high levels of risk in butcher shops, mills, tortillerias (shops which make tortillas), or in other shops of various sorts." While many legal protections exist for children in both Mexican law and ILO conventions, the problem is exacerbated by the authorities' willingness to look the other way:

Labor inspectors have an important social function which unfortunately they do not fulfill. Their activities are reduced to routinely imposing fines, rather than combating the problem.

Despite the complete suppression of the apprenticeship contract, reminiscent of medieval servitude, the employment of children as labor power, subject to excessively long work days, with low wages and in deplorable and unsanitary working conditions, is frequent.

Nothing has been done in reality to protect the children and prevent this exploitation. Many projects have been designated without any practical results.

Frequent modification and reorganization has seriously damaged labor statutes regarding children, carrying the law ever further away from the extensive protection that is required.²

In regard to the effectiveness of the Mexican authorities' enforcement of child labor legislation, the United States State Department reported:

"... in the formal sector, enforcement is reasonably adequate for large and medium size companies; it is less certain for small companies. As with employee safety and health, the worst enforcement problem is with the many very small companies. Eighty five percent of all registered Mexican companies have 15 or less employees, and 80 percent have 5 or less employees, indicating the vast scope of the enforcement challenge just within the formal economy.

Illegal child labor is largely found in the informal economy, which includes significant numbers of underage street vendors, employees in very small businesses, and workers in rural areas. The ILO reports that approximately 18 percent of Mexican children aged 12 to 14 work. Often such children work for their parents or other close relatives. In addition, small-scale employers prepared to disregard company registration, social security, health, safety and tax laws are often equally prepared to violate child labor laws." (p. 450)

A progress report of the Tri-National Project on Children's Rights and Economic Integration sponsored by Defense of Children International notes as a result of an extensive field inquiry in the spring of 1993 that:

"... among firms producing for the domestic market, we observed substantial child labor violations, including: (1) the employment of clearly underage children (we observed children who we estimated to be between nine and twelve years old working in several plants); (2) the employment of children in hazardous jobs, including the use of heavy leather and plastic cutting equipment and the application of adhesives to shoes by dipping fingers or whole hands into large cans of glue; and (3) overall conditions likely to be particularly detrimental to children, such as high noise levels, poor ventilation and lighting and inadequate facilities for eating and personal hygiene needs.

The worst conditions were found in San Francisco, a small town several miles from

Leon that is the center for the production of athletic shoes. Employment of young children was most prevalent in smaller plants, but at least one very large manufacturer selling an extensive line of higher-quality shoes all over Mexico and possessed of a modern plant using advanced equipment had several child workers.

Children working in the San Francisco factories do not appear to attend school at all. When asked if the presence of children working indicated that there was worker turnover from children leaving to return to school, one producer emphasized that his work force is full time, year round with almost no turnover.

Although we do not offer any firm conclusions at this point in our investigation, several observations are warranted:

1. While the exploitation of child labor seems not to be prevalent in maquiladoras and plants currently manufacturing for export, young children continue to work under extremely adverse circumstance in firms currently manufacturing for the Mexican domestic market and for growers selling their product to processors for export.

2. Mexican manufacturers of different products who are involved in export or drawback production view the low wages prevalent in Mexico as one of their principle competitive advantages. They expect the NAFTA agreement to increase the significance of this advantage. Manufacturers not now engaged in export or drawback production, and who exploit child labor, are interested in the possibilities that NAFTA will offer them to break into the US market.

3. Economic integration has had effects on families and children that have not been analyzed systematically. Beyond the issue of direct employment of children in plants producing for export lies an important set of issues about the welfare of children whose parents work in such plants."

MINIMUM WAGES, HOURS OF WORK AND OCCUPATIONAL SAFETY AND HEALTH

1. Minimum wages.

Structural adjustment in Mexico has wreaked havoc on the living standards of Mexican workers during the past decade. Hundreds of thousands have been dismissed from state owned companies in the course of privatization, while other economic measures have undermined the benefits of a much broader segment of the Mexican workforce. As noted in a forthcoming study, "Structural Adjustment in Mexico, to be published by Equipo Pueblo, in Mexico City: 'Workers who have kept their jobs have paid for the costs of adjustment through a decrease in their purchasing power, a decrease in benefits, and increase in prices of basic goods.'"

Mexico has one of the lowest minimum wages in the world.³ In November 1992, the minimum wage in Mexico was approximately 13,300 pesos per day (US\$4.42). According to a study by researchers at the National Autonomous University of Mexico (UNAM) the minimum wage capable of providing the basic needs of a family of five is 45,322 pesos per day—over three times the current minimum wage.⁴ Government figures show that 41.4% of the economically active population receives between one and two times the minimum wage, 46.88% receive more than two times the minimum wage and 4.5% receive no wage.⁵ Contractual salaries have grown more than the minimum wage in recent

years, but have still been insufficient to regain the purchasing power lost in the eighties. The participation of wage labor in GDP fell from 36% to 22% during the eighties, while that of capital rose from 54 to 62%.

According to the report prepared by the U.S. State Department on Mexico for 1992:

"Wages set by collective bargaining agreements and white collar salaries in the private sector generally kept pace with inflation even though the minimum wage has not. Since the financial collapse of 1982, the minimum wage ceased being adequate. Recent data on urban areas indicate the 14 percent of urban workers earn less than one minimum wage, 41 percent earn between one and two minimum wages and 32 percent earn between two and five minimum wages."

The loss of purchasing power of wages is not only a consequence of the economic collapse in 1981-82, but a part of a wider adjustment carried out by the government. As Jerome Levinson expresses it:

"... this policy has caused wage increases to lag behind inflation. The wage policy has been part of a broader agreement, the pact for stability and growth (PECE), orchestrated among representatives of labor, business, and government. As a result of this pact and other government actions to repress labor, real wages remain stuck at half what they were in 1982, despite Mexico's economic recovery under the Salinas administration."

"The government's tough wage policy, designed to make Mexico competitive with what it sees as its main competitors in Asia, has been enforced by the Ministry of Labor. Arsenio Farell Cubillas has been Secretary of Labor for the past seven years (the labor Ministry is formally known as the Secretariat of Labor and Social Welfare). He is the only member of the cabinet to have served in the same position under both the De la Madrid and Salinas administrations. According to a report on Mexican labor conditions prepared by the U.S. Embassy, 'Farell has maintained his reputation as a formidable labor opponent. He has maintained pressure on the labor sector in an effort to hold the line on wage demands.'"

"The basic problem with labor rights in Mexico, is not, as has so often been suggested, inadequate funding for enforcement. The government has found more than adequate financing for the National Solidarity Program which helped it win congressional and state elections in August 1991.

"The problem lies instead with a development model predicated on attracting foreign investment by undercutting wages elsewhere, particularly East Asia. That objective underlines the hostility to effective labor organizing. The worker rights issue in Mexico is fundamentally about government suppression of those rights in pursuit of short term economic gain."

IN MEMORY OF THAD EURE

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. PRICE. Mr. Speaker, North Carolina is mourning the death of one of the Nation's longest-serving public officials, former Secretary of State Thad Eure, who died Wednesday night following surgery in Raleigh.

Thaddeus Arnie Eure, born November 15, 1899, began his career in State politics in

³Barry, Tom (Editor) Mexico, A Country Guide, (The Resource Center: Albuquerque, N.M., 1992.) 98.

⁴El Financiero, November 30, 1992, p. 38.

⁵Ibid. p. 8.

²"El Trabajo de Menores," in Estudios de derecho sindical y del trabajo (Mexico, D.F.: Universidad Nacional Autonoma de Mexico, 1987) pp. 251ff.

1929, when he was elected to the North Carolina House of Representatives. He was elected secretary of state in 1936 and held that post until he retired some 52 years and 13 Governors later, in 1989.

My own association with Mr. Eure goes back to my days as executive director and chairman of the North Carolina Democratic Party, when I had the privilege of working with him and campaigning with him across North Carolina. He was invariably the star attraction at party rallies, even when Presidential contenders or other national luminaries were also on the podium. There has never been a finer orator in the old style, and Thad Eure, with his trademark red bow tie and his rich stock of political lore, added luster to any political event he attended. His knowledge as a parliamentarian was a vital resource to young lawmakers and party leaders who followed in his footsteps; we often relied on him to steer us through complicated credentials and platform battles at our State conventions. He often humorously referred to himself as "the oldest rat in the Democratic barn," but beneath that humor was a deep and abiding loyalty to our party and its principles and to the American political tradition.

Thad Eure's devotion to our State and to public service has been rivaled by few. His half century in office has become an American political legend, and thousands of us who continue in politics and public life are in his debt.

The accompanying Raleigh News and Observer profile of Thad Eure follows:

VENERABLE THAD EURE DIES

(By Treva Jones)

Former N.C. Secretary of State Thad Eure, the nation's longest-serving state official when he retired in 1989 after a half-century on the job, died Wednesday night in Raleigh.

Mr. Eure, 93, died at Raleigh Community Hospital about 8 p.m., after surgery to remove his gall bladder.

"He got through the operation beautifully" but never quite stabilized, said his daughter, Armecia Eure Black.

Funeral and burial will be Saturday in Raleigh.

Famous for oversize, red bow ties and for the straw boaters he wore every summer, Mr. Eure took office in 1936 after imploring voters to "Give a young man a chance." In his later years, he hoped to survive until 2000 so he could have lived in three centuries. He figured he signed his name 625,000 times on state documents and correspondence, using an estimated five gallons of his trademark green ink.

And he said he was glad he retired when he did. "Thank God I wasn't voted out, kicked out, or carried out," Mr. Eure told well-wishers at his 93rd birthday party in November.

"I think this state will always have a part of Thad Eure in it," said Gov. Jim Hunt, who credited Mr. Eure with exciting his own interest in politics in the mid-1950s.

"He believed in young people, believed in springtime, when you put on a straw hat, and being excited about the future and excited about what we can do."

John Dombolis, who owns the Mecca Restaurant in downtown Raleigh and knew Mr. Eure for 40 years, said, "He was an exemplary person, and he served the state with great honor and with great dignity."

Mr. Dombolis said Mr. Eure would come into the restaurant and order a small hamburger, which wasn't on the menu. For him,

they made small hamburgers, while Mr. Eure chatted with customers at the counter and in the booths along the wall.

"I think he mostly wanted to come in and see everybody," said Mr. Dombolis' wife, Floye, who also works in the restaurant.

Born in 1899, Mr. Eure said he was "the oldest rat in the Democratic barn," a title bestowed on him by U.S. District Judge John D. Larkins Jr. sometime after the middle of the century. At a retirement party for him in 1988, Republican Gov. Jim Martin called Mr. Eure "one of North Carolina's great treasures." Even then-President Reagan acknowledged Mr. Eure's record of service.

Also known as "Mr. Democrat," Mr. Eure was fond of saying that he was "nursed from a Democratic breast and rocked in a Democratic cradle." Republicans were anathema to him, although he served alongside two Republican governors in his time, and many Republicans as well as Democrats sought his advice.

"Voting for the man instead of the party is nothing but hogwash," said Mr. Eure, adding that "the political facts of life of American government are that it is run through the medium of parties instead of individuals."

He had a craggy, deeply grooved face and a rich, booming voice and likely was one of the last true orators in the state.

Mr. Eure wouldn't have been upset if a public address system failed just before he was to speak. He could talk to a group of a few thousand people without the aid of a microphone and be heard in the last row.

Wherever he went, Mr. Eure shook hands, patted backs, kissed babies, hugged women, and reminded people that he would be up for re-election next time around.

As secretary of state, Mr. Eure was the keeper of many state and corporate records.

When he retired, he said he was "going to go back home where I've outlived all my enemies and start wearing out a rocking chair." He didn't. He stayed in Raleigh.

In the 1980s, when Mr. Eure's vision got too poor for him to drive, Mr. Martin directed security officers to transport him between his home and his office, and to other Raleigh locations where the secretary of state needed to go on business. Mr. Eure didn't surrender his driver's license until 1986, and only then because he couldn't read on a vision test machine. About 70 people gathered in the old House chambers in the State Capitol on Nov. 15, 1992, to wish Mr. Eure a happy 93rd birthday.

"The reason more people aren't here tonight is because my friends have long passed away and I'm still here," Mr. Eure joked. He and his wife, Minta Banks Eure, celebrated their 68th wedding anniversary on the same day as his birthday party.

Mrs. Eure spent part of the day Wednesday at the hospital with her husband.

Mr. Eure, named Thaddeus Armie Eure, was born in Gates County, the son of Tazewell A. and Armecia Langston Eure. He grew up on a cotton and peanut farm.

He attended Gatesville High School from 1913 until 1917, and the University of North Carolina from 1917 until 1919. He earned money for college by cutting students' hair for 25 cents, and selling them suits for \$18. He was a private during World War I.

He went to law school at UNC from 1921 until 1922, and was admitted to the State Bar in 1922.

From 1923 until 1931, he was county attorney for Hertford County, and mayor of Winton from 1923 until 1928. Mr. Eure represented Hertford County in the state House of Representatives in 1929 and was Principal

Clerk of the House during the sessions of 1931, 1933 and 1935, as well as an extra legislative session in 1936.

When the legislature wasn't in session, he was an escheats agent for UNC. He moved across the state making contacts. It paid off when he ran for secretary of state, beating the incumbent in a second primary.

He was elected secretary of state on Nov. 3, 1936, and when the incumbent resigned, he assumed office Dec. 21, 1936, 10 days before the term was supposed to begin.

He was re-elected every four years from then until 1984. He retired in January 1989, the day his successor took office.

The Eures were married Nov. 15, 1924, and had two children: Armecia Eure Black and Thad Eure Jr. Their son died of cancer in November 1988.

Mr. Eure always maintained his legal voting residence in Hertford County, and he remained a member of Eure Christian Church in the town of Eure, named for his family.

In biographical data sheets he sent routinely to The News & Observer, Mr. Eure listed his business address as State Capitol, Raleigh.

During the time he was secretary of state, Mr. Eure kept his office in the Capitol, refusing more than one offer to move him to more modern, spacious quarters. He bragged that his door was always open, and he delighted in dropping whatever he was doing to steer a group of schoolchildren through the historic building.

Ironically, when he retired, the space was turned over to Lt. Gov. Jim Gardner, a Republican, and only a ceremonial office for the secretary of state was maintained in the Capitol.

During his tenure, Mr. Eure saw the state take over the jobs of providing public education and of building roads, he saw the consolidation of the state universities into one system and the establishment of community colleges across the state. He survived criticism for his longtime practice of hiring only unmarried Democratic women to work in his office, and for writing the later-infamous state Speaker Ban Law, which attempted to prohibit Communists from speaking on any state-owned college campus. He was criticized as one of several members of the Council of State who advocated closed meetings of the council.

But the venerable politician drew more kudos than catcalls during his tenure.

He was given public service and merit awards from the N.C. Citizens for Business and Industry, N.C. State University, the N.C. State Elks Association, Elon College, Theta Chi fraternity and other organizations. In 1958, he received an honorary Doctor of Laws degree from Elon College. He served on the Elon College Board of Trustees 33 years, until he retired as chairman in 1988.

Surviving Mr. Eure, in addition to his daughter and his wife, are a brother, Dr. Darden J. Eure of Morehead City; a sister, Mrs. Donald S. Coeyman of Greensboro; four grandsons; three granddaughters, and four great-grandchildren.

After the funeral at 2 p.m. Saturday at St. Michael's Episcopal Church, 1520 Canterbury Road, Raleigh, burial will be in Oakwood Cemetery.

In lieu of flowers, the family suggests memorial contributions be made to The State Capitol Foundation, 109 E. Jones St. Raleigh, N.C. 27601, or to the Thad Eure Scholarship, Elon College, Elon College, N.C. 27244.

NOMINATION OF DR. JOYCELYN
ELDERS SUPPORTED

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the nomination of Dr. Joycelyn Elders to the post of Surgeon General.

Dr. Elders brings to this post 20 years of experience as a pediatric endocrinologist and more than 5 years of experience as a public health official in the State of Arkansas.

In recent weeks several allegations have been made against Dr. Elders. Distortions of her character, ideals and achievements have been levied in an attempt by conservatives to perpetuate a narrow-minded ideology that is out of touch with reality.

Dr. Elders has distinguished herself many times through her tireless commitment and innovative approaches to the numerous public health problems that are facing our Nation. In Arkansas, Dr. Elders doubled the childhood immunization rate by opening clinics after hours for working families and instituted a form of one stop shopping so that working parents would not have to make multiple trips and lose time from work. She expanded Arkansas' prenatal care and childhood screening programs, placing the emphasis of health care on prevention not intervention.

Dr. Elders has brought compassion and understanding to the real-life issues that are currently confronting our teenagers. AIDS, the disease which has seen a five-fold increase in its incidence in teenagers between 1984 and 1991, is becoming a reality for our young people. Teenage pregnancy is on the rise again and teenage sexual activity has remained at the levels that followed the rapid increase during the eighties. Dr. Elders, unlike her critics, has not turned away in fear of these frightening trends but has taken bold steps to combat them. She has vigorously supported AIDS education and prevention programs and emphasized that abstinence is the best policy to prevent pregnancy.

One of the greatest pieces of misinformation being circulated by her opponents surrounds Dr. Elders' commitment to pragmatic approaches to health care issues. During her tenure as director of the Arkansas Department of Health, Dr. Elders established the concept of school-based clinics. The rationale behind this was that if children were not receiving adequate health care in clinics outside of schools, the clinics should be brought into the schools. Dr. Elders' opponents charge that these clinics would offer all kinds of medical and family planning services that would usurp a parent's right to determining what was best for their child's health and well being.

What these desperate ideologues fail to mention is that Dr. Elders also instituted a policy that ultimately became law which reinforced a locality's right to determine if it wanted a school-based clinic and what services were to be offered. More importantly, Dr. Elders' policy required that children obtain parental consent before receiving services at school-based clinics.

As is very apparent, Dr. Elders is not a radical or a threat to family values. She is an eminently qualified, proven professional and a dedicated public servant. I strongly urge my colleagues in the other body to support the nomination of Dr. Joycelyn Elders for the benefit of the children of this country and the health of the general public.

INTRODUCTION OF THE DEFENSE
REUSE COMMUNITY PARTNER-
SHIP ACT

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. FAZIO. Mr. Speaker, I am introducing legislation that I believe will go a long way toward helping communities expedite the reuse of closing military bases.

As you know, Mr. Speaker, our country has undertaken a significant effort to streamline and reduce our military bases over the last several years. Since 1988, we have closed 56 major military installations and over 60 minor facilities. Later this year, we will close another 35 major installations and 95 smaller facilities nationwide.

We all know that base closures cause significant economic hardship for affected communities. These communities have unselfishly supported our military forces for many years. We owe it to them to ensure that they are given the opportunity to recover the economic losses associated with a base closure.

Unfortunately, the current base closure reuse process is just not getting the job done. Bureaucratic delays, differing objectives, and poor understanding of community needs are severely restricting the ability of local communities to reuse the military sites. To date, Mr. Speaker, not one closed base has been successfully converted to a civilian application. I make this point simply to underscore the need to provide these communities, not with a handout, but with an opportunity to invest, create jobs, and promote economic growth.

The Defense Reuse Community Partnership Act gives the Secretary of Defense a new tool to respond more directly to the needs of local communities. This bill gives the Secretary of Defense the authority to contract with private sector site managers to manage the site planning, approval, preparation—including environmental remediation—and disposal of property at base closure sites. The site managers would be selected by the Secretary in consultation with affected communities.

As you know, Mr. Speaker, the private sector cleans up and develops contaminated industrial sites and other large tracts of land all the time. They do this successfully. Rather than try to recreate land development expertise in the Pentagon, this legislation puts the reuse process in the hands of private sector entities who already have broad experience in land use planning and development. Further, it enables the site managers to use sound business judgment in managing the reuse of military bases rather than require them to operate under cumbersome and lengthy procurement regulations which the Defense Department must do.

Closing bases is not an easy task. However, we all recognize that it is a necessary task. But, as we tell communities who have supported the military for decades that we no longer need their support, we should not at the same time condemn them to economic stagnation because the Federal bureaucracy impedes their ability to reuse base property.

This bill attempts to eliminate the bureaucratic delays by using a more streamlined, private sector approach to land use development. It will give communities a chance to quickly reuse military bases and revitalize their local economies.

Mr. Speaker, we must enact meaningful and workable initiatives that will spur economic growth and help communities throughout the country recover lost jobs caused by base closures. I commend this legislation to my colleagues and ask for their support in making it become a reality.

TRIBUTE TO LAGRANGE CHIEF OF
PUBLIC SAFETY GARY B. SHEP-
HERD

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. DARDEN. Mr. Speaker, today I rise to honor one of Georgia's finest law enforcement officers, LaGrange chief of public safety, Gary B. Shepherd. Chief Shepherd retired earlier this month after 15 years at the helm of LaGrange law enforcement and a total of 34 years in Georgia law enforcement.

After serving 20 years with the Atlanta Police Department, where Chief Shepherd attained the rank of captain of the downtown precinct and head of the bank robbery division, he was named chief of police of LaGrange in 1978. In 1990, he was promoted to chief of public safety over the police and fire divisions of LaGrange.

Chief Shepherd has truly been an asset to Georgia, and he has been recognized by his professional colleagues as such. He has received executive certification by the State, the highest level of certification a law enforcement officer can attain. In 1989, he received the Georgia Chief of the Year Award. Last year, he received the National O.W. Wilson Award. Chief Shepherd is a past president of the Georgia Police Officers Standards and Training Council and he is the current president of the Georgia Chiefs Association.

Mr. Speaker, we need more law enforcement officers like Chief Shepherd. Fortunately, we may have them. Four of Chief Shepherd's five children are in law enforcement themselves. We all hope they have learned much from their father. He has distinguished himself as a great servant of the people.

SUPPORT FOR FLOOD RELIEF
LEGISLATION

HON. THOMAS J. BARLOW III

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 1993

Mr. BARLOW. Mr. Speaker, I rise in strongest support for the rapid congressional passage of legislation to speed flood relief to the areas of our Nation now suffering from the disaster that is devastating not just the Mississippi Valley, but the entire United States. We are united as a nation in our determination to reach out quickly to the citizens along our troubled rivers and give them every aid and assist in bringing their families are their towns and cities, their economies, their livelihoods back to full and vigorous prosperity.

Let me focus the House's attention on 40,000 acres of prime farmland with standing crops in five counties along the Mississippi and the Ohio Rivers in far western Kentucky. I have introduced legislation which is now in the House Agriculture Committee to speed payments to farmers throughout the flood ravaged regions to make good their losses. As farmers tally their costs, including costs of emergency work to try to stem rising waters, I am urging the Congress and the Department of Agriculture to have every necessary measure in place to support them. I am also urging the Agriculture Committee to be fully aware and to provide in law for support of farmers who may suffer serious loss due to drought now plaguing central and western Kentucky and our Southeastern States even as the storms and rivers rampage in the Mississippi Valley. I am also asking for full consideration of relief for stunning tornado wind losses in west and central Kentucky this past spring.

We stand firmly by our farmers. Everyone in America benefits from their hard work. We support them in their hour of need. I commend the Government agencies and their leaders at the local, county, State, and national level who have moved quickly in recent days to provide for those who are suffering loss. We live in a great nation. We are great because we reach out to our fellow Americans in times of crisis with love, fellowship, and support.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD

on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 27, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 28

12:30 a.m.

Environment and Public Works
Superfund, Recycling, and Solid Waste
Management Subcommittee

To hold hearings to examine the State
and local community involvement in
superfund cleanups. SD-406

9:00 a.m.

Labor and Human Resources

Business meeting, to consider pending
calendar business. SD-430

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on the Department of
Housing and Urban Development's 1993
legislative package. SD-538

Environment and Public Works

To hold hearings on the nomination of
Mollie H. Beattie, of Vermont, to be
Director of the U.S. Fish and Wildlife
Service, Department of the Interior. SD-406

Foreign Relations

To hold hearings on the nomination of
Donald C. Johnson, of Texas, to be Am-
bassador to Mongolia. SD-419

Governmental Affairs

Regulation and Government Information
Subcommittee

To hold hearings to examine at home
business opportunity scams. SD-342

Judiciary

To hold hearings on the nomination of
Bruce A. Lehman, of Wisconsin, to be
Commissioner of Patents and Trade-
marks, Department of Commerce. SH-216

10:30 a.m.

Commerce, Science, and Transportation
Science, Technology, and Space Sub-
committee

To hold oversight hearings on the imple-
mentation of the Fastener Quality Act
of 1990 (P.L. 101-592). SR-253

Judiciary

Courts and Administrative Practice Sub-
committee

To hold hearings on proposed legislation
to revise the Federal rules of civil pro-
cedures. SD-226

1:00 p.m.

Commerce, Science, and Transportation

To hold hearings on proposed legislation
authorizing funds for programs of the
Marine Mammal Protection Act. SR-253

2:30 p.m.

Small Business

Business meeting, to mark up S. 1274, au-
thorizing funds for certain programs of
the Small Business Administration. SR-428A

3:00 p.m.

Foreign Relations

To hold hearings on the nomination of
James R. Jones, of Oklahoma, to be
Ambassador to Mexico. S-116, Capitol

JULY 29

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings to examine
the Department of Energy's efforts to
clean up its nuclear weapons complex,
focusing on the scope and cost of the
cleanup program, the technological and
managerial problems it faces, the
standards governing the cleanup effort,
and how priorities are set among com-
peting cleanup projects. SD-366

Environment and Public Works

Superfund, Recycling, and Solid Waste
Management Subcommittee

To hold hearings on the Environmental
Protection Agency's proposal to extend
the municipal landfill criteria compli-
ance deadline. SD-406

Indian Affairs

Business meeting, to mark up S. 1156, to
provide for the settlement of land
claims of the Catawba Tribe of Indians
in South Carolina, S. 1121, to authorize
funds for fiscal years 1994-1996 to estab-
lish the National Indian Research In-
stitute, S. 925, to reform the Bureau of
Indian Affairs' accounting and manage-
ment operations of the Native Ameri-
can Trust Fund, and S.J. Res. 19, to
acknowledge the 100th anniversary of
the January 17, 1893 overthrow of the
Kingdom of Hawaii; to be followed by
an oversight hearing on tribal college
telecommunications and facility needs. SR-485

10:00 a.m.

Foreign Relations

To hold hearings to examine United
States policy in Somalia. SD-419

10:30 a.m.

Judiciary

Business meeting, to consider the nomi-
nation of Ruth Bader Ginsburg, of New
York, to be an Associate Justice of the
Supreme Court of the United States. SD-226

1:00 p.m.

Judiciary

To hold hearings on the nomination of
Louis J. Freeh, of New York, to be Di-
rector of the Federal Bureau of Inves-
tigations, Department of Justice. SD-226

2:00 p.m.

Armed Services

To hold hearings on the nominations of
Shelia E. Widnall, of Massachusetts, to
be Secretary of the Air Force, Depart-
ment of Defense, and Graham T. Allison,
of Massachusetts, to be Assistant
Secretary of Defense for Policy and
Plans, and on S.J. Res. 114, disapprov-
ing the recommendations of the De-
fense Base Closure and Realignment
Commission. SR-222

Energy and Natural Resources

Public Lands, National Parks and Forests
Subcommittee

To hold hearings on S. 150, to provide for
assistance in the preservation of
Talliesin in the State of Wisconsin, S.
278, to authorize the establishment of
the Chief Big Foot National Memorial
Park and the Wounded Knee National
Memorial in the State of South Da-
kota, S. 492 and H.R. 240, bills to pro-
vide for the protection of the Bodie
Bowl area of the State of California, S.
845, to provide for the addition of the

Truman Farm Home to the Harry S. Truman National Historic Site in the State of Missouri, and S. 855, proposed Alaska Peninsula Subsurface Consolidation Act.

SD-366

3:30 p.m.

Select on Intelligence

To hold hearings on issues relating to Cuba.

SD-406

JULY 30

9:00 a.m.

Joint Economic

To hold hearings to examine the economy of China, focusing on recent efforts to control inflation, the continued increase in military spending, and the rising bilateral trade surplus with the United States.

SD-628

9:30 a.m.

Governmental Affairs

Oversight of Government Management Subcommittee

To hold oversight hearings to examine Federal government contracting procedures.

SD-342

10:00 a.m.

Armed Services

To hold hearings on the nomination of Victor H. Reis, of the District of Columbia, to be Assistant Secretary of Energy (Defense Programs).

SR-222

Labor and Human Resources

To hold hearings to examine issues relating to the diagnosis and treatment of Lyme disease.

D-430

AUGUST 2

10:00 a.m.

Labor and Human Resources

Labor Subcommittee

To hold hearings to examine the effect of the Supreme Court's decision in "Mertens v. Hewitt Associates."

SD-430

2:00 p.m.

Energy and Natural Resources

To hold hearings to examine the status of the Department of Energy's civilian radioactive waste program.

SD-366

AUGUST 3

9:30 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

Clean Air and Nuclear Regulation Subcommittee

To hold hearings on State and local implementation of Title I of the Clean Air Act and other issues associated with the nonattainment provisions.

SD-406

10:00 a.m.

Veterans' Affairs

To hold oversight hearings on the Veterans Administration mental health programs.

SR-418

AUGUST 4

9:30 a.m.

Appropriations

Energy and Water Development Subcommittee

To hold joint hearings with the Committee on Energy and Natural Resources on the Superconducting Super Collider.

SD-366

Commerce, Science, and Transportation

To hold hearings on proposed legislation to authorize funds for programs of the Magnuson Fishery and Conservation Act.

SR-253

Energy and Natural Resources

To hold joint hearings with the Committee on Appropriations' Subcommittee on Energy and Water Development on the Superconducting Super Collider.

SD-366

Indian Affairs

To hold hearings to examine the Bureau of Indian Affairs' proposal to reduce by 10% the funding for Indian programs for fiscal year 1995.

SR-485

2:30 p.m.

Appropriations

Energy and Water Development Subcommittee

To continue joint hearings with the Committee on Energy and Natural Resources on the Superconducting Super Collider.

SD-366

Energy and Natural Resources

To continue joint hearings with the Committee on Appropriations' Subcommittee on Energy and Water Development on the Superconducting Super Collider.

SD-366

AUGUST 5

9:30 a.m.

Energy and Natural Resources

To hold hearings on the actinide recycle program and the Department of Energy's advanced nuclear reactor program.

SD-366

10:00 a.m.

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold oversight hearings on foreign-flagging requests of American shipping companies.

SR-253

3:00 p.m.

Labor and Human Resources

Employment and Productivity Subcommittee

To hold joint hearings with the Committee on Indian Affairs on the implementation of the Job Training Partnership Act (P.L. 102-367), and the Indian Employment Training and Services Demonstration Act (P.L. 102-477).

SR-485

Indian Affairs

To hold joint hearings with the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity on the implementation of the Job Training Partnership Act (P.L. 102-367), and the Indian Employment Training and Services Demonstration Act (P.L. 102-477).

SR-485

CANCELLATIONS

AUGUST 3

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 318, to provide for the energy security of the Nation through encouraging the production of domestic oil and gas resources in deep water on the Outer Continental Shelf in the Gulf of Mexico, and S. 727, to establish a California Ocean Protection Zone.

SD-366

POSTPONEMENTS

JULY 29

9:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine abuses in Federal student grant programs.

SD-342